

Historic Preservation & Progress in Atlanta: Zoning Strategies for Adaptive Reuse & Revitalization

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Historic Preservation & Progress in Atlanta: Zoning Strategies for Adaptive Reuse & Revitalization



"Cities need old buildings so badly it is probably impossible for vigorous streets and districts to grow without them. By old buildings I mean not museum-piece old buildings, not old buildings in an excellent and expensive state of rehabilitation—although these make fine ingredients—but also a good lot of plain, ordinary, low-value old buildings, including some rundown old buildings."

--Jane Jacobs, *The Death and Life of Great American Cities*

INTRODUCTION

Atlanta is experiencing a resurgence in population and significant changes to the built environment. Where do Atlanta's historic and cultural places fit into Atlanta's future land use patterns? As Atlanta experiences increased urban development in historic areas, what kind of city does Atlanta want to be? One preservation developer noted that Atlanta is really only in its adolescence and must decide what Atlanta wants its civic identity to be. Atlanta lacks a sustained vision and supporting public policy for its historic resources. Threats to Atlanta's historic resources are constant, amplified even more by policies that do not fully include preservation within Atlanta's future growth plans. Looking forward, how can changes to Atlanta's zoning code enhance urban design, strengthen support of historic resources, and ensure equitable results?

Part I will briefly explore why it is important to preserve historic and cultural places. Embedded in this discussion will be a clearer definition of what it means to 'preserve' old buildings. Part II explores the major challenges to historic preservation in Atlanta. Part III details the (1) current status of Atlanta's historic resources and (2) identifies the planning tools and policies currently in place that support preservation. Part IV provides six 'Big Ideas' for strengthening preservation in the City of Atlanta.

"Old ideas can sometimes use new buildings. New ideas must use old buildings."

--Jane Jacobs,

The Death and Life of Great American Cities.



PART I: WHY PRESERVE HISTORIC PLACES?

Historic places are more than just the preservation of old places; they are essential to the fabric of society as a whole. The sense of place embedded in historic places serves as a repository for both the individual and collective memory of our larger society. This memory includes stories we would like to but cannot forget. In Atlanta, these stories include the vestiges of slavery, Jim Crow, and a segregation era resembling apartheid. In these physical spaces, people are able to approach history on their own terms “as our conception of who we are as a people changes.”¹ These historic spaces allow diverging and often competing interpretations. Without these physical reminders of our ever-changing individual and collective memories, we are apt to lose a part of Atlanta’s and society’s memory that cannot be replicated in a textbook or a museum.

Even more, historic places “matter to people today and for the future.”² These historic places provide a “sense of continuity” that incorporates the “relevance of the past to give meaning to the present and future.”³ Old places serve not only as part of our collective identity but as tangible and often physical guideposts. The Sears, Roebuck, & Co. Building (Ponce City Market), the Fulton Bag and Cotton Mills, the Wren’s Nest, the 1906 water tower in the Old Fourth Ward all serve as palpable reminders of our collective memory. These historic places also provide a sense of continuity, a stable and comforting sense of place in an ever changing city. These historic places can literally remind us where we are spatially as well as root us in a shared and continuing story. When we lose elements of our historic past, we lose a part of our identity. This is detrimental, resulting in greater feelings of isolation and less belonging to a common past.

Will Atlanta ultimately become a city of historic markers? For much of Atlanta’s rich Civil War history, it is just that. What retreating Confederate troops or Sherman did not burn, Atlantans destroyed or developed. In 1900, the Peachtree Creek Battlefield was slated to become a 1,275 acre National Park.⁴ It would be Atlanta’s Gettysburg National Military Park. However, this national battlefield vision never came to fruition as the Civil War battlefield today is covered by parking lots, Piedmont Hospital, a Chick-Fil-A, and upscale South Buckhead neighborhoods.

PART I: WHY PRESERVE HISTORIC PLACES?

In a city marked by a challenging legacy of Jim Crow and segregation, historic places inform our individual and collective memory and impart meaningful lessons for the future. The sense of place embodied in these historic places extends beyond the history and learning but also gives people a feeling of belonging, experiences and an anchor in an ever-changing world.

People are drawn to visit, live, and work in and among historic places. Tom Mayes of the National Trust for Historic Preservation posits that historic, old places are “good for people,” with the main reason being that old places enable people “to define who they are through memory, continuity, and identity.”⁵ Historic places also matter because they provide people with an understanding and ability to engage with history, architecture, and in some regards, our own ancestors.⁶ These historic places further sustain and nurture community, support sustainability, and serve as economic drivers. All of this is rooted in a shared experience, an historic identity that emerges from these physical spaces that speak to us. Today, preservation of historic places and our shared sense of place in Atlanta is challenged by Atlanta’s elusive and conflicted historic identity.



Figure 1. Ponce de Leon Ballpark with the Sears, Roebuck, & Co. Building in the background.

Ponce City Market’s full potential may only be realized if one knows its full story - how Ponce de Leon Avenue developed, including 1924 Spiller Field, home of the Atlanta Crackers. Spiller Field at Ponce de Leon Ballpark (pictured below) is now a strip mall, its memory relegated to forgotten

PART I: WHY PRESERVE HISTORIC PLACES?

books and interpretive signage. The story is important because for almost the entire use of the ballpark, whites sat in the right field and African Americans in the left field.⁷ In 1949, the Crackers played an exhibition series against Jackie Robinson and the Brooklyn Dodgers.⁸ It was the first time in Atlanta's history that white and African Americans competed against one other in a professional sports event. It is in these places, in the nexus of public history and historic preservation that Atlanta has an opportunity to show and talk about its own conflicted history of race - to be honest with it. Atlanta has a meaningful opportunity for its citizens and visitors to become more human and to grow personally.



Figure 2. The Atlanta Journal Constitution building, circa 1950s. This historic downtown building is finally slated for an adaptive reuse after sitting vacant for more than a decade.

PART II: CHALLENGES TO HISTORIC PRESERVATION IN THE CITY OF ATLANTA

To understand the current challenges to historic preservation in the City of Atlanta, it is critical to take a step back. How has Atlanta, a city founded in 1847, managed to irrevocably lose many of its historic places? This inquiry requires separating fact from fiction. Atlanta arguably lacks an appreciable historic character, landscape, or identity. Yet blame is inaccurately placed upon Union General Sherman. During the summer of 1864, more than 150,000 Union and Confederate troops fought a series of violent engagements for control of Atlanta.⁹ Atlanta's surrender, the subsequent Union occupation and the "burning" of Atlanta became legend, driving such works as Margaret Mitchell's *Gone with the Wind*.

Misconceptions became legend, most notably that General Sherman destroyed Atlanta's historic built environment. The full history tells a different story. Atlanta rebuilt itself mightily in the decades after the Civil War. Just step into the lobby of one of the remaining historic landmarks downtown, the 1906 Candler Building, one of Atlanta's first 'skyscrapers.' The Candler Building exemplifies why Atlanta embraced the Phoenix as its symbol and *Resurgens* as its motto. The construction of the downtown connector (Interstate 75/85) and an ongoing developer friendly environment has destroyed considerably more of Atlanta's historic fabric than the historically maligned Yankee general. In essence, "what Sherman and the Union Army left, we have ourselves destroyed."¹⁰

As Atlanta developed into a major twentieth century city, the absence of public policy and laws supporting preservation spurred the destruction of the city's historic landscape. From the end of World War Two through the 1970s, Atlanta experienced a considerable depletion of its historic resources. Downtown Atlanta witnessed a particularly acute period of demolition beginning in the late 1950s as historic buildings made way for paved parking lots. A new Civic Design Commission provided only an advisory role and lacked the authority to protect key historic structures.¹¹ The 1970s construction of heavy rail for the Metropolitan Atlanta Rapid Transit Authority (MARTA) resulted in the demolition of the Atlanta National Bank building and Bailey's Supreme Coffee

PART II: CHALLENGES TO HISTORIC PRESERVATION IN THE CITY OF ATLANTA

warehouse, a downtown landmark.¹² Between 1959 and 1972, Atlanta kept landfills full as it destroyed significant historic resources, including the Kimball House Hotel (1870), Paramount Theatre (1920), Peachtree Arcade (1964), Ponce de Leon Ball Park (1907), Piedmont Hotel (1903), Equitable Building (1892), Union Station (1930), Terminal Station (1905), Grady Hotel (1924), and the downtown Carnegie Library (1902).¹³

In 1989, Atlanta embarked on a new era for historic preservation and city planning with the enactment of a comprehensive preservation ordinance. This law created local historic districts, landmark designations, and an Atlanta Urban Design Commission (AUDC) with enforcement capabilities.¹⁴ This ordinance symbolized how developers, city leaders and preservationists could work together and find compromises in charting Atlanta's future.¹⁵ In the nearly thirty years since its enactment, Atlanta has witnessed periods of noted preservation success. However, the ordinance on its own cannot sufficiently preserve Atlanta's historic buildings and spaces. The culture around historic preservation in Atlanta is clear: success comes with continuing losses of historic resources. In 2018, preservation success at Ponce City Market and other adaptive reuse projects are arguably a façade to the reality in Atlanta. Today, Atlanta experiences an almost weekly teardown of historic resources. Consequently, in 2018, where does historic preservation in Atlanta stand? Understanding where historic preservation fits into development, planning, and Atlanta's overall culture can enable a more proactive response to preserving what we have left.

Four major themes constitute historic preservation in Atlanta. Each theme in some ways conflicts and causes tension with the goals of historic preservation.

- I. The first theme is that Atlanta does not have a historic cornerstone or anchor, no unifying historic identity. Where is Atlanta's "Independence Hall" or "Jackson Square?" Arguably, Atlanta does not have a central point around which history lives and emanates from. For example, Atlanta's Zero Mile Post dates to 1850 and signifies, physically and symbolically the origins of the City of Atlanta. Today, the Post, while listed in the National Register of Historic Places, is locked in a building, inaccessible to the public, under a state viaduct.

PART II: CHALLENGES TO HISTORIC PRESERVATION IN THE CITY OF ATLANTA

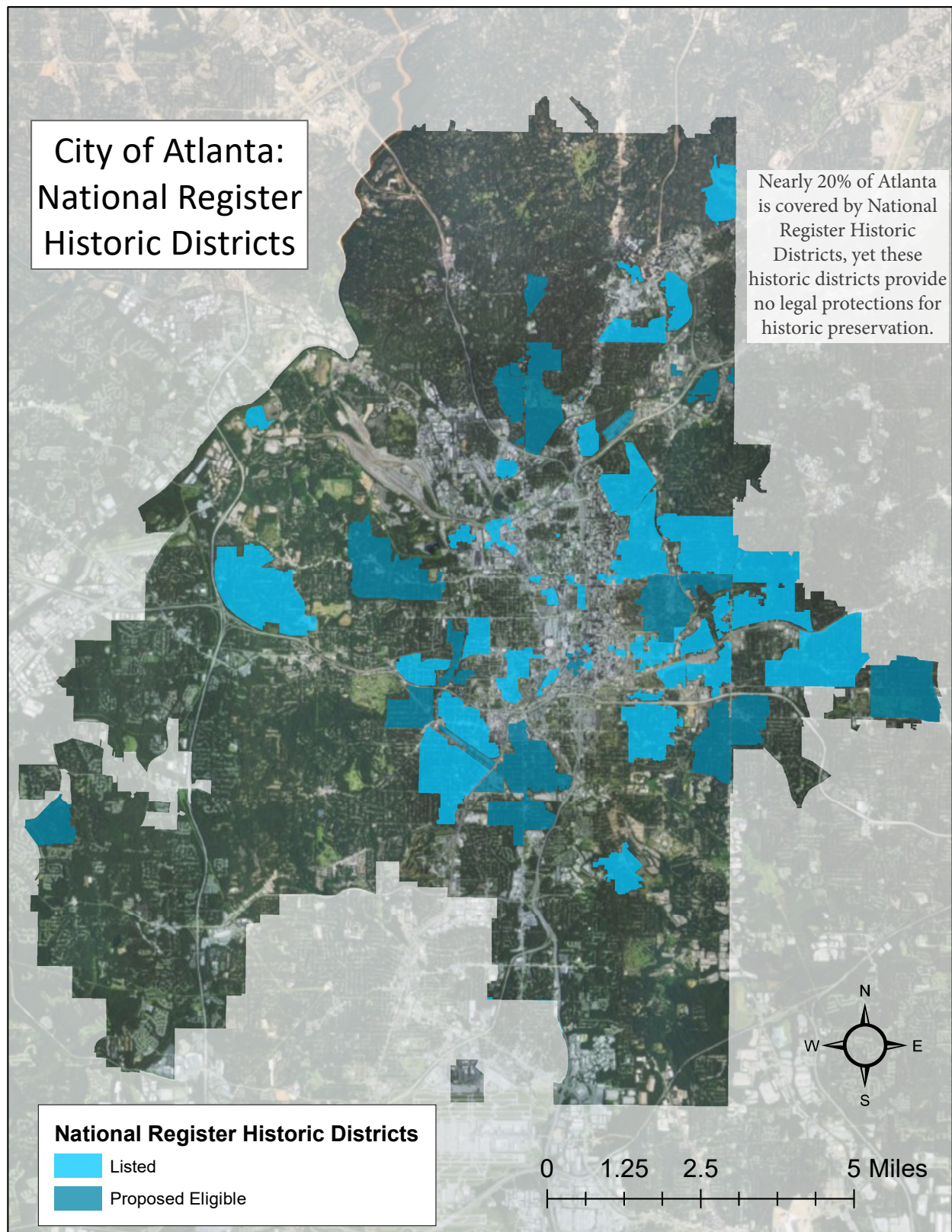
- II. Second, in Atlanta, development is “king,” and this “spirit of progress” regularly clashes with historic preservation goals.
- III. Third, advocating for historic preservation is often reactive and sometimes leaves historic resources out of important planning decisions.
- IV. Fourth, Atlanta lacks a vision, a robust public policy supporting preservation. All four themes, while not exhaustive, influence where Atlanta’s preservation ethos stands in 2017.

Challenge No. 1: Atlanta’s Historic Identity

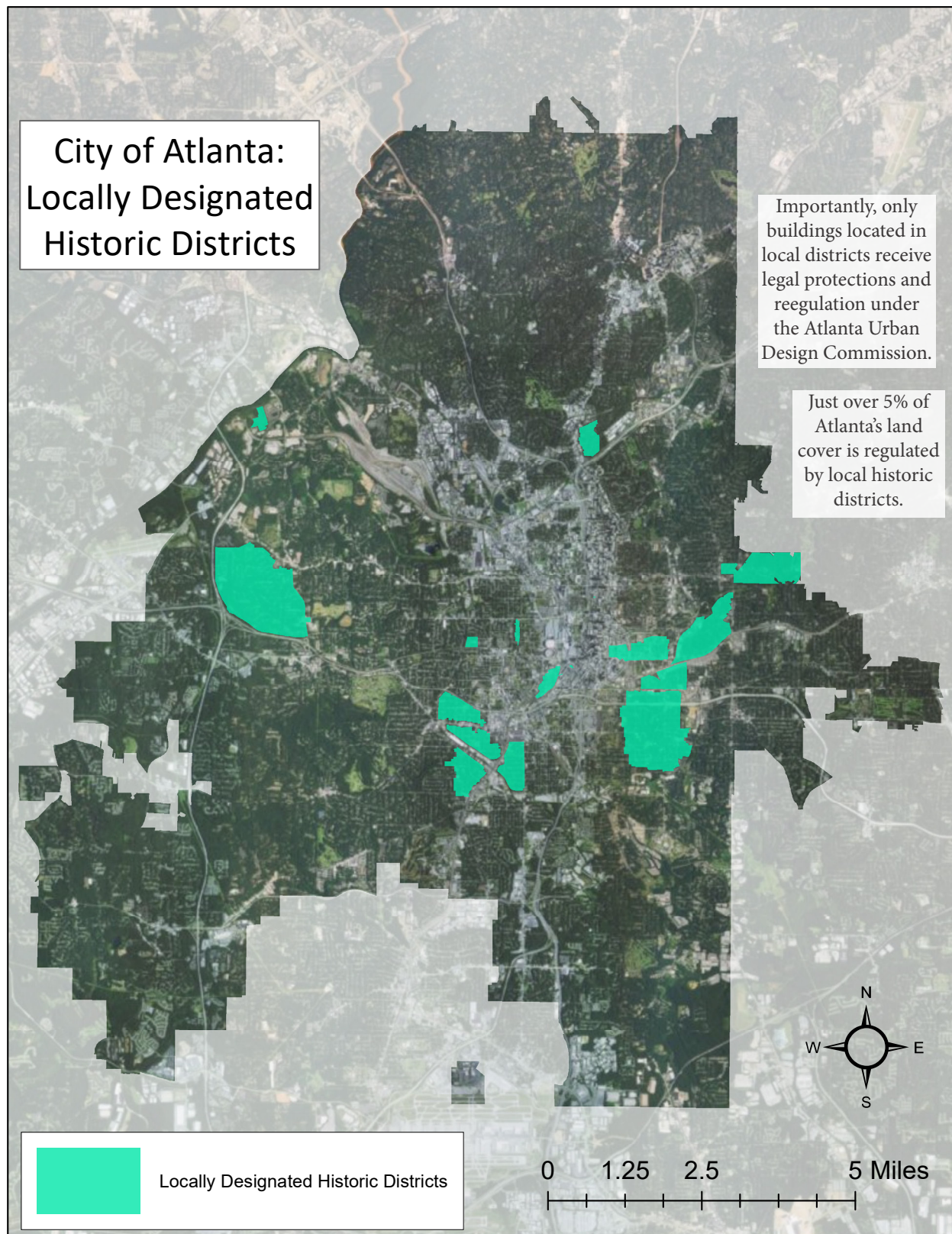
What is Atlanta’s historic identity? What would a postcard symbolizing Atlanta’s historic landscape look like? Undoubtedly there would be several if not many different postcards – or perhaps, none. A common theme embedded in Atlanta’s historic preservation ethos is the challenge of identity. One leader in the preservation community called Atlanta’s historic identity a “myth,” ala *Gone with the Wind*. A tangible sense of place and a historic identity is a critical component of not just historic preservation but of larger society and its people’s sense of belonging.

Two key factors influence Atlanta’s increasingly amorphous historic identity. First, as shown in the maps that follow, Atlanta’s historic districts are disproportionately skewed towards National Register over local designation. As a result, there are fewer legal protections for Atlanta’s historic resources. Importantly, only local historic designations offer legal protections for Atlanta’s historic buildings. The Georgia and National Register of Historic Places are largely symbolic and afford no substantive legal protections. Atlanta is home to 54 historic districts listed in the National Register of Historic Places.¹⁶ These historic districts represent a diverse collection of architecture and urban development from the post-Civil War period through the twentieth century. Moreover, these 54 historic districts are located in all areas of the city and importantly embody elements of Atlanta’s challenging, racialized history.

Challenge No. 1: Atlanta's Historic Identity



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Challenge No. 1: Atlanta's Historic Identity

However, only 17 of Atlanta's 54 national register districts are locally designated by the City of Atlanta as Landmark or Historic Districts.¹⁷ Thus, just 17 of the 54 districts are covered by Atlanta's legally enforceable historic preservation ordinance.¹⁸ Roughly five percent of the city is covered by the local historic preservation ordinance while nearly twenty percent of the city are National Register districts. For example, the Fairlie-Poplar Historic District in downtown Atlanta covers the city's oldest central business district and represents Atlanta's largest concentration of late nineteenth and early twentieth century commercial and office buildings. However, the Fairlie-Poplar Historic District is only on the National Register and as a result this district receives no local protections against preservation threats such as demolition.¹⁹

Challenge No. 2: Atlanta's Spirit of Progress

A second major challenge to preserving Atlanta's historic identity is that many of Atlanta's historic areas and resources are not contiguous. Ongoing destruction of Atlanta's historic resources has left remaining historic areas and resources scattered and divorced from their historic integrity. For preservationists and city planners, it can be a challenge to even draw and form a new historic district in an area that has witnessed depletion of its historic resources. There is simply a lack of concentrated historic resources. Due to demolition and incompatible infill development, older neighborhoods may not qualify for National Register and/or local designation. Certainly, Atlanta is home to iconic historic places such as the Fox Theatre, the Sears, Roebuck, & Co., Building, and the Swan House. Yet many other historic resources (1) are not protected by the City's local preservation ordinance and (2) are often dispersed and not integrated as one discernable historic area. As such, discerning and defining Atlanta's historic identity poses a challenge to historic preservation.

In Atlanta, development is king. A common theme reiterated by leaders in Atlanta's preservation community is that Atlanta is rarely content with the "old." Rather, "progress" is a symbol of success as the capitol of the "New South." The construction of the downtown connector obliterated the entire historic fabric of one area of town and physically removed a whole population.

Challenge No. 2: Atlanta's Spirit of Progress

Today, that “progress” is marked by vacant lots adjacent to the highway where neighborhoods once thrived. For example, the Washington-Rawson neighborhood, established in the late nineteenth century, was once a prosperous area home to many of Atlanta’s prominent Jewish leaders. By the 1870s, Washington Street had become one of Atlanta’s “choicest residential thoroughfares.”²⁰ Yet by the 1950s, the neighborhood fell on hard times and became marked for “urban renewal” and freeway construction.²¹

In 1977, Atlanta demolished the 1902 Carnegie Library, Atlanta’s first public library (pictured below), because it conflicted with Atlanta’s vision of the future. Some of the library’s columns were made into a monument on Peachtree Street downtown, and remain one of the most photographed places by tourists. However, many of



Figure 3. Carnegie Library, circa 1952.



Figure 4. The Carnegie ruins at the Old Atlanta Prison Farm

Challenge No. 2: Atlanta's Spirit of Progress

the library's iconic columns and other stonework were dumped at the Old Atlanta Prison Farm in southeast Atlanta (pictured on the following page). The columns and other stonework remain there today as Atlanta's own roman ruins.²² That is the "Atlanta way."²³ Today, the Marcel Breuer designed Atlanta Central Library that replaced the Carnegie Library, a landmark building in its own right, is under significant threat of exterior changes.

Consequently, historic preservation has and continues to be viewed through a narrow lens of "preservation versus progress." This development-friendly culture does not always differentiate between prominent and less prominent historic resources. Noted architect Philip Trammell Shutze designed the Maddox House in North Atlanta. Nonetheless, the Maddox House faced the same ultimate demolition as have countless other less prominent historic homes. Atlanta's older neighborhoods are under a severe preservation threat because of the previously discussed lack of local protections and this development culture. Even historic homes in good condition, such as the Maddox House, are demolished to make way for larger, custom homes. What replaces these older homes is often in conflict with the character, design, and importantly the scale of the existing historic neighborhood. As Atlanta looks to the future, a lack of disincentives (zoning and financial) to this culture of demolition poses a significant challenge to historic preservation.

Challenge No. 3: Historic Preservation as Reactive

A third theme that threads Atlanta's historic preservation ethos is the notion that historic preservation is reactive, an afterthought in city planning and development discussions. This view is understandable when historic preservation faces a development friendly environment, a city without a clear historic identity, and an inadequate public policy towards preservation. As a result, historic preservation does not always get a seat at the table. When preservationists stand up for a historic resource, preservation is often regarded as obstructionist, opposed to change, opposed to Atlanta's progress. Leaders will ask, why didn't you tell us before this historic building (now under demolition threat) is so important?

Challenge No. 4: A Lack of Vision

A final theme threading Atlanta's historic preservation ethos in 2017 is the lack of a unified vision. Atlanta lacks a sustained vision and supporting public policy for its historic resources. We saved the Fox Theatre, so we can all go home now. But threats to Atlanta's historic resources are constant, amplified even more by policies that do not fully include preservation within Atlanta's future growth plans. As a result, the fight to save Atlanta's historic resources increasingly falls upon its citizens. It is a failure of local leadership. For example, the city did not save the Fox Theatre. The people of the City of Atlanta saved the Fox. A group of high school students led efforts to "Save the Fox," collecting 150,000 signatures on a petition that eventually saved the iconic landmark from demolition for a parking garage.²⁴

The consequences stemming from the lack of public policy and a unified preservation vision fall largely upon Atlanta's citizens and nonprofits to be the advocates for our historic places. Today, look no further than the Judge Wilson house, one of only three remaining antebellum homes left in the City of Atlanta. Union soldiers slept in the house. Built around 1856 and listed on the National Register, the Judge Wilson House was a symbol of Atlanta's treatment of its past. The Wilson House, a landmark in its own right, sat neglected for years and finally was demolished in 2016.²⁵ The city had no plan and no long term vision for managing one of its last antebellum homes.



Figure 5. The Wilson House, circa 1960s.



Figure 6. The Wilson House, before demolition

Challenge No. 4: A Lack of Vision

Even those historic buildings that have been temporarily spared demolition can thank largely grassroots efforts. Today, the Trio Laundry and Bell Building are two examples of historic resources facing an uncertain future. Their historic status and opportunity for adaptive reuse have been emphasized by local citizens. Citizens stalled the demolition of the Bell Building by creating a petition, a “Save the Bell” website, and being proactive with the media.²⁶

In certain respects, Atlanta does not even know the extent of its own historic resources and how it desires to best manage these historic places. This approach is not sustainable. Without a vision for our historic resources and public policy to support that vision, advocacy for preservation falls upon local nonprofits, neighborhood groups, and individual citizens to be the advocates, frequently the sole advocates for preservation of our historic fabric.²⁷



Figure 7. The 1910 Trio Laundry Building in the MLK Jr. Landmark District.



Figure 8. The Bell Building on Auburn Avenue in Downtown.

PART III: EXISTING CONDITIONS: ATLANTA'S ZONING CODE & COMPREHENSIVE DEVELOPMENT PLAN

With the challenges to historic preservation in mind Part III briefly explores the extent to which the Atlanta Zoning Code and Comprehensive Development Plan address historic preservation. Both the challenges to historic preservation and the treatment of historic preservation by the zoning code and CDP informs the development of the big ideas in Part IV.

The 2016 Atlanta Zoning Ordinance Diagnostic

In 2016, the City of Atlanta completed a Zoning Ordinance Diagnostic (the Diagnostic). The current zoning code has not had a comprehensive update since 1985. Zoning codes should not be viewed as static but as an ongoing process and evolution a city's vision for land use planning. This 2016 Diagnostic informs the future rewriting of the Atlanta Zoning Ordinance. The Diagnostic provides key insight into the overall Code's compatibility with the Atlanta Comprehensive Development Plan, the Code's strengths and weaknesses, and recommendations for improving the Code. These recommendations are set both in the short and long term.

Urban Design: Weaknesses

- The City lacks a basic set of consistent urban design requirements that could be applied to diverse zoning districts.
- The lack of graphics is especially challenging for many urban design provisions, especially those regulating the relationship of building to street, the supplemental zone, and building facades
- The Zoning Ordinance lacks a "building-type" based approach, which can be helpful in areas where the form of buildings is very important

The 2016 Atlanta Zoning Ordinance Diagnostic

Environmental Sustainability: Weaknesses

- Off-street parking requirements can result in the demolition or under-utilization of historic buildings if such buildings lack on-site parking. The environmental impacts of demolishing existing buildings is great.
- The City of Atlanta does not allow off-site parking or shared parking by-right in most districts.

Zoning: Weaknesses

- FAR is poor at regulating the form of development
- There are many disjointed TDR provisions that are bulky and complex to use effectively
- Single-family residential districts do not often do a good job reflecting neighborhood character in pre-World War 2 neighborhoods.
- The Ordinance lacks tools for preserving the character of individual neighborhoods.
- Despite recent text amendments intended to address infill housing, people are still concerned with the scale of new houses in existing neighborhoods, especially McMansions

The Atlanta Comprehensive Development Plan

The Comprehensive Development Plan (CDP) serves as the “overarching framework tool for the City of Atlanta.”²⁸ The CDP is a future oriented vision that details the growth, development, and land use policies for the City of Atlanta. Much of the CDP requires a consistent Atlanta Zoning ordinance for successful implementation. This land use plan is the natural starting point for discussions on what changes and updates are needed for the Atlanta zoning ordinance. Rewriting the Code represents an “opportune time to integrate as many CDP policies as possible.”²⁹ What follows is a topical survey of CDP policies identified in the Diagnostic that have applicability to historic preservation efforts. These CDP policies should be incorporated in a future zoning rewrite.³⁰

Housing Policies³⁰

- Focus on rehabilitating and utilizing existing vacant and occupied missing middle housing stock
- Promote the creation of new housing in appropriate locations
- Promote a wide range of housing types to meet different housing needs and income levels within the Atlanta BeltLine corridors and along major employment centers: Downtown, Midtown and Buckhead

Historic Preservation Policies³¹

The CDP outlines specific historic preservation policies for the City of Atlanta that relate to the historic preservation ordinance, the overall zoning code, or other planning tools. For example, the CDP presents a historic preservation policy of fostering civic pride in the City’s notable historic buildings while promoting attention to sound design principles in areas of redevelopment. These CDP policies provide an excellent baseline foundation for updating the zoning code to reflect historic preservation goals and needs.³² This paper has a goal of finding out ‘how’ to translate the highest priority CDP policies on historic preservation into a new zoning rewrite.³³

The Atlanta Comprehensive Development Plan

Historic Preservation Policies in the CDP

- ❖ Specific strategies and programs for the preservation of existing residential properties in historic districts, as well as for the design of appropriate infill construction in such districts
- ❖ A “Layman’s Guide” or similar brochure regarding the implementation of the Historic Preservation Ordinance, including the most commonly asked questions regarding historic districts and designations.
- ❖ A “pattern book” outlining compatible infill development in undesignated, but still unique or potentially historic, neighborhoods.
- ❖ Revision of the City’s zoning and historic preservation ordinances to reflect current City policies, priorities, and changing approaches to construction and development in the City.
- ❖ Effect and accomplish the protection, enhancement and perpetuation of such buildings, sites and districts, which represent or reflect special elements of the City’s cultural, social, economic and architectural history.
- ❖ Safeguard the City’s historic aesthetic and cultural heritage, as embodied and reflected in such buildings, sites and districts.
- ❖ Foster civic pride in the beauty and noble accomplishments of the past.
- ❖ Promote attention to sound design principles in areas of new development and redevelopment.
- ❖ Create a design guidelines “template” for new development and renovations in historic, but unprotected, neighborhoods and commercial areas that could be used by other organizations to create fully developed design guidelines documents.
- ❖ Using models from around the State of Georgia, develop a City ordinance to ensure potentially historic archeological sites and Civil War trenches are protected
- ❖ Create long-term and sustainable strategies to prevent the demolition of abandoned and/or deteriorated (but salvageable) residential structures in City-designated districts.
- ❖ Research opportunities to update, expand, and strengthen the range of the City’s regulatory tools and enforcement techniques that relate to historic properties.
- ❖ Strengthen communication with the City’s zoning and building code enforcement personnel through training sessions and improvements in information sharing.
- ❖ Improve the nomination and regulation processes provided for by the Historic Preservation Ordinance.
- ❖ Utilize the Zoning Code and other regulatory tools to support historic preservation policies.
- ❖ Develop mechanisms for supporting historic resource-sensitive development along the Beltline corridor.
- ❖ Raise the level of community understanding and expectation for quality in the built environment.

The Atlanta Comprehensive Development Plan

Urban Design Policies³²

- Maintaining and strengthening existing neighborhoods
- Advancing urban design that engenders a safe and pedestrian-oriented environment
- Preserving Atlanta's historic and cultural resources.
- Create an urban design guidelines document to guide new development within neighborhoods and commercial areas that could be used by developers, business and neighborhood organizations
- Update the City's Zoning Ordinance to streamline and clarify urban design requirements.
- Strengthen communication with the City's zoning and building code enforcement personnel through training and improvements in information sharing
- Preserve the boundaries and architectural character of Atlanta's existing neighborhoods.
- Create stable neighborhoods by protecting and enhancing their historic character and enhancing neighborhood parks, schools and commercial areas.
- Discourage land speculation and disinvestment that lead to neighborhood buy-outs, demolition of significant buildings (historic or otherwise) or land vacancy (including surface parking lots).
- Preserve and protect the city's historic buildings and sites.
- Encourage adaptive reuse of historic buildings to promote sustainability.
- Preserve the historic physical character of the industrial districts that follow the BeltLine by promoting adaptive re-use of historic structures and encouraging new construction to be consistent with the size, scale and/ or character of those buildings
- Ensure that new construction is compatible with the scale and character of adjacent single-family neighborhoods.

Community Character Land Use Policies³³

- Revitalize and protect historic buildings, sites and neighborhoods that tell the City's story and ensure infill development that preserves neighborhood character;
- Preserve historic African-American neighborhoods and promote their revitalization;
- Create guidelines for new development and renovations in historic, but unprotected, neighborhoods and commercial.

PART IV: BIG IDEAS FOR HISTORIC PRESERVATION & ZONING IN THE CITY OF ATLANTA

The following recommendations represent ‘big’ ideas for historic preservation in Atlanta as the City embarks on updating the zoning code. Why use zoning as a tool for historic preservation? Zoning is a fundamental tool for ensuring for the health, safety, and welfare of communities. Simply put, zoning allows the government to “control the physical development of land and the kinds of uses to which each individual property may be put.”³⁴ Zoning has evolved far beyond the contours of the original Supreme Court case upholding the zoning power, *Euclid v. Ambler*.³⁵ Today, progressive forms of zoning enable communities to implement transformative quality of place visions. Specific to historic preservation, zoning is a particularly useful tool “for municipalities that may not have the density or concentration of resources needed for designation of an Act 167 historic district – where historic resources are not concentrated in easily delineated districts, but dispersed across the landscape.”³⁶ Zoning is also a tool to support preservation where there is “insufficient political will” to impose AUDC review on all historic structures.³⁷ As previously noted, Atlanta’s historic resources are not always contiguous nor is there always the political will to preserve. Even more, several of these big ideas demonstrate how historic preservation can and should produce equitable outcomes.

Finally, the recommendations that follow ultimately demonstrate why the updated zoning should be in the form of an Unified Development Ordinance (UDO). A hybrid approach to citywide regulations is one that includes “elements of both conventional and form-based zoning approaches.”³⁸ Under a hybrid approach, cities may “apply form-based elements in areas where they are most beneficial, while leaving areas of the city under their presumably pre-existing conventional zoning.”³⁹ Here, the City of Atlanta may find it appropriate to implement a form based approach in some single family neighborhoods while retaining a more conventional zoning approach, with tools such as FAR, in areas such as Downtown. Historically, zoning, subdivision, land development regulations have been separated into discrete chapters. In an UDO, all regulations that impact development are combined into one single ordinance. A UDO can provide easier administration for City staff as well as ease of use for citizens and developers alike.

Big Idea # 1: Adaptive Reuse Ordinance & Reuse Incentive Areas

Atlanta's Proposed Adaptive Reuse Ordinance

Regulatory barriers can be a major impediment to historic preservation. Adaptive reuse of old buildings can be a powerful economic and sustainable tool for the City of Atlanta. Put simply, adaptive reuse is “the process of repurposing buildings — old buildings that have outlived their original purposes — for different uses or functions while at the same time retaining their historic features.”⁴⁰ Using the 1999 Los Angeles Adaptive Reuse Ordinance (ARO) as a model, Atlanta should adopt a similar adaptive reuse ordinance.

Eligibility

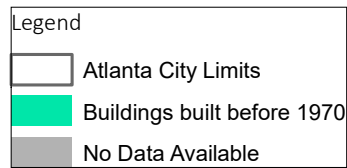
As shown in the map on the next page, the Atlanta ARO would apply to any building built before 1970. Furthermore, all historically significant buildings, on the National, State, or local register, would also be eligible.

Process

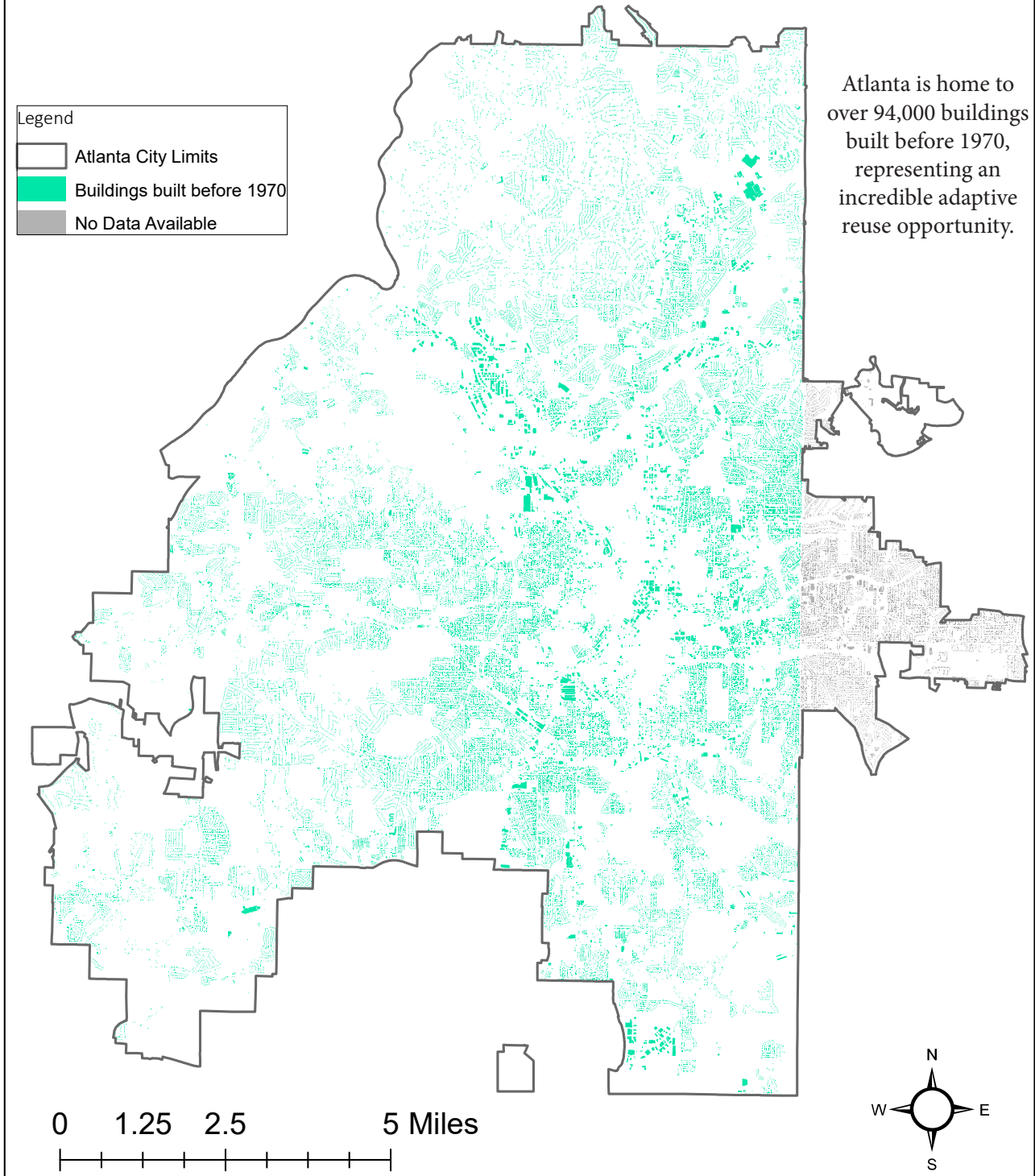
An ARO seeks to be a permissive rather than prescriptive ordinance. Here, under the Atlanta ARO, if a proposed project fulfills specific requirements, it is entitled to discretionary review and only a building permit would be required. An ARO ensures that “older and historic buildings are not subjected to the same zoning and code requirements that apply to new construction.”⁴¹ This type of ordinance is permissive rather than restrictive and serves to “reduce regulatory barriers to building reuse and to simplify and facilitate the permitting process.”⁴² An ARO does not establish new regulations but “exempts qualified projects from existing regulations.”⁴³

Big Idea # 1: Adaptive Reuse Ordinance & Reuse Incentive Areas

Atlanta Adaptive Reuse Ordinance: Potentially Eligible Buildings



Atlanta is home to over 94,000 buildings built before 1970, representing an incredible adaptive reuse opportunity.



Big Idea # 1: Adaptive Reuse Ordinance & Reuse Incentive Areas

Incentives

Incentives constitute a major part of the ARO's success, helping "speed the process and mitigate the cost of conversion."⁴⁴ In Los Angeles, the ARO provides a number of important developer incentives⁴⁵ for adaptive reuse that the City of Atlanta could implement in part or whole, including:

Additionally, Big Idea No. 1 provides specific recommendations on the regulatory incentives and changes that should be included in the zoning code update and a potential Atlanta ARO.

- Waiver of density restrictions within existing historic buildings
- The number of residential units or hotel rooms permitted is not limited if the project complies with other standards.
- Each living unit must be at least 450 square feet, with a building-wide average size of 750 square feet. (Hotel rooms have no size restrictions, but each hotel room must include a bathroom).
- No additional parking spaces are required beyond what already exists.
- Existing parking spaces must be maintained, but they may be used for any on-site or off-site use
- Nonconforming floor areas, setbacks, and heights are grandfathered in, so no variance is required
- No loading space is required
- Mezzanine levels may be added as long as they do not exceed one-third the size of the floor below. Mezzanines do not count toward FAR

Big Idea # 1: Adaptive Reuse Ordinance & Reuse Incentive Areas

Results

In Los Angeles, the ARO enabled the repurposing of historic and other underused structures into more than 14,000 new downtown housing units.⁴⁶ Since the Adaptive Reuse Ordinances' enactment, Downtown Los Angeles has witnessed a population increase of almost 300%.⁴⁷ The catalytic impact of the ARO extends to over 17 billion in investments in arts, entertainment, civic, residential, commercial and retail uses in Downtown Los Angeles.⁴⁸ An ARO demonstrates how historic preservation can serve as a powerful engine for economic revitalization and the creation of new housing supply."⁴⁹ Atlanta could implement a similar program for targeted adaptive reuse incentive areas, highlighted in the map below. An Atlanta Adaptive Reuse Ordinance bundles important "regulatory relief, flexibility, and technical assistance to unlock the potential of vacant urban spaces."⁵⁰ As such, Big Idea No. 2 builds on the recommendation for an Atlanta ARO by providing specific regulatory changes and incentives to be applied in the adaptive reuse incentive areas.

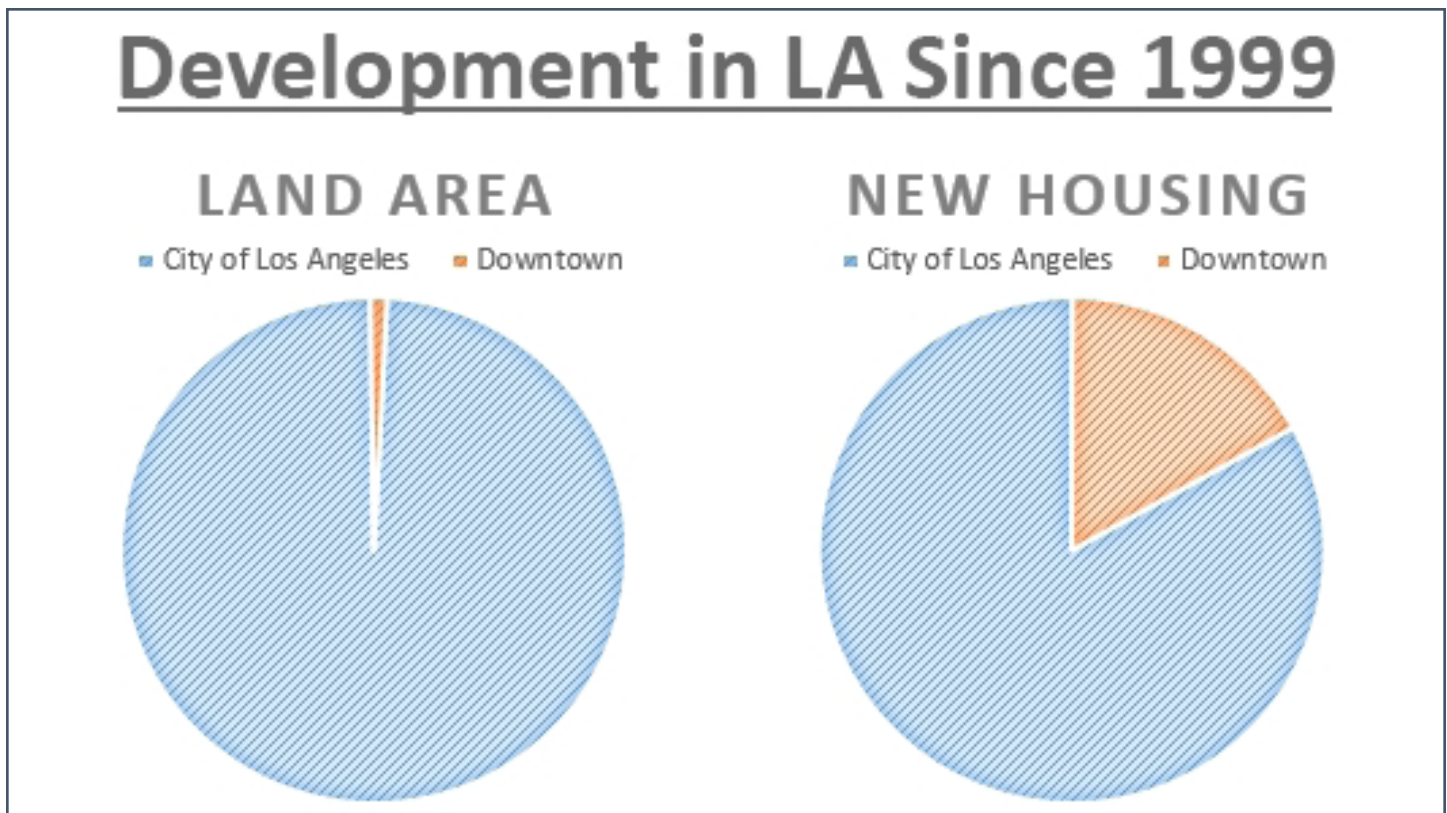


Figure 9. Downtown Los Angeles makes up one percent of the land area in Los Angeles, but its accounted for twenty percent of new residential construction since the Adaptive Reuse Ordinance.

Big Idea # 2: Packaging New & Existing Incentives for Adaptive Reuse

An Adaptive Reuse Ordinance (ARO) requires relief from strict regulatory barriers to enable greater repurposing of older buildings. Big Idea No. 2 provides specific zoning update recommendations to provide regulatory relief and flexibility for Atlanta's historic buildings. These recommendations can be enacted separately or bundled together as part of an ARO package.

Flexible Use Requirements

The Atlanta zoning code update should provide for permissive and flexible uses in historic buildings. Older zoning codes typically separate urban neighborhoods by use: typically residential, commercial, industrial.⁵¹ As a result, converting older buildings to new or mixed uses can involve a lengthy approval process.⁵² Here, it is recommended that historic buildings be given greater flexibility in the uses allowed. More flexible building uses may allow for an easier, faster and less expensive conversion to changing market needs.⁵³ For example, allowing by-right light industrial, co-working, and housing in historic buildings can provide for a greater mix of uses and reduce administrative approvals of variances and special use permits. Here, it is recommended that a new zoning code update does not over define commercial uses but rather looks to adopt more flexible use categories.

Even more, it is recommended that historic buildings be allowed to have an “additional principal use for places where there is an opportunity for limited commercial uses on historic properties or in historic structures in districts otherwise limited to residential or other uses.”⁵⁴ By their nature, historic buildings provide excellent opportunities for small businesses and a mix of uses, including small scale retail, personal services, restaurants, all of which provides communities with human scaled economic vitality.

Big Idea # 2: Packaging New & Existing Incentives for Adaptive Reuse

Legal Non-Conforming Uses

In the City of Atlanta, there are over 10,460 legally non-conforming buildings, many of which may be historic. By the National Park Service Standards, buildings are eligible for the National Register of Historic Places if the building is at least fifty years old. In the City of Atlanta, over ninety thousand buildings were built before 1968. Legal Non-Conforming “refers to uses and structures which were begun or constructed when the law allowed for them but have since become noncompliant due to a change in legislation.”⁵⁵ Legal non-conforming uses present an equity and a historic preservation issue. If there are any major changes to a legal non-conforming use, such as a duplex, that structure may lose its grandfathered status.

These legal non-conforming uses represent a small but important number of missing middle housing in the City of Atlanta. As the Zoning Diagnostic highlights, many American cities, including Atlanta, “were originally developed with a range of small multifamily buildings.”⁵⁶ These various housing types (townhouses, duplexes, triplexes) were “often located near or among single-family residential uses, and were very compatible with them in terms of scale, massing, setbacks, and design.”⁵⁷ Expanding and preserving housing options in historic neighborhoods may be a useful tool in “where a strong desire to preserve their existing scale and character exists.”⁵⁸

To address legal non-conforming uses, a future zoning code update should “reduce or eliminate non-conforming provisions to encourage investment” in properties constructed before Atlanta’s current zoning code. This approach could support preservation and retain existing, legal non-conforming uses. For example, the City of Denver uses a “compliant” rather than non-conforming status for such properties.⁵⁹

Big Idea # 2: Packaging New & Existing Incentives for Adaptive Reuse

Moving Away From One Size Fits All Parking Requirements

Atlanta is akin to many American cities that “still bear the scars of efforts to accommodate cars” as parking “continues to occupy large swaths of land in urban centers across the country.”⁶⁰ After World War II, American car ownership rates increased dramatically and a “cultural expectation developed, reinforced by public policy, that parking should be free (or at least cheap) and easy to find.”⁶¹

Parking requirements frustrate and often prevent adaptive reuse of older buildings. The major parking impediments to adaptive reuse include the following. First, zoning codes may require a “minimum amount of parking based on the allowable use,” and these requirements can add “land acquisition and construction costs that small reuse projects often can’t bear.”⁶² For example, before removing parking minimums, adaptive reuse in the City of Buffalo, New York proved challenging. If a developer “wanted to convert an old building into a restaurant, which has a high parking requirement, the only way they could do it would be by tearing down one of the buildings on either side to provide the parking.”⁶³

Second, parking requirements can be inflexible. Parking demand is different in “neighborhoods or commercial corridors depending on context, availability and quality of transit infrastructure, and proximity to residential areas.”⁶⁴ A one size fits all parking requirement does not allow for context, place based zoning. Third, residential neighborhoods often present concerns about a lack of parking and the prospect of “overflow parking” into residential areas. Finally, “abundant parking is still viewed by many lenders as necessary for a successful project, even where code requirements are reduced or eliminated.”⁶⁵ Many banks are unwilling to provide the necessary financing for development projects without ‘adequate parking’ based on the lending community’s standards.

The Atlanta Comprehensive Development Plan (CDP) and Zoning Diagnostic recognizes these issues. Parking requirements in the current Atlanta zoning code discourages adaptive reuse of historic buildings. Due to generally applicable parking standards, “off-street parking requirements can result in the demolition or under-utilization of historic buildings if such buildings lacks on-site parking.”⁶⁶ Even more, the City of Atlanta

Big Idea # 2: Packaging New & Existing Incentives for Adaptive Reuse

currently “does not allow off-site parking or shared parking by-right in most districts.”⁶⁷ Still more, the Zoning Code does not allow “on-street spaces to count towards a use’s parking requirements.”⁶⁸ As a result of these zoning code shortfalls, when a historic building changes use, it must fully comply with higher parking ratios.⁶⁹ The only way that building preservation and zoning relief for parking can be obtained is “through time-consuming special exceptions, shared parking, or off-site parking arrangements.”⁷⁰ Typically, the Zoning Code’s “path of least resistance is to simply demolish existing buildings to build new, especially on the city’s commercial corridors.”⁷¹

Even through these challenges, “thousands of buildings with little or no off-street parking exist and function, as they have for roughly a century historic buildings across the city.”⁷² To better support adaptive reuse of historic buildings and ensure context sensitive development, a future zoning rewrite should incorporate the following parking ideas:

Parking Recommendations

- **Allow shared and off-site parking by right across the city.**
 - For example, developers of the recent adaptive reuse project, ‘Larkin on Memorial,’ attested that a shared parking agreement with a new apartment complex being constructed next door helped the project be viable.
 - Different uses on a commercial block may “have differing peak parking needs and should be allowed to share use of a single parking facility located within a reasonable distance.”⁷³
- **Provide exemptions for older buildings:** No parking requirements for buildings built before 1965 and/or are historically designated. For example, Roswell, Georgia exempts parking requirements for buildings built before 1959.
- **Eliminate minimum parking requirements & develop parking maximums**

Big Idea # 2: Packaging New & Existing Incentives for Adaptive Reuse

Building Codes

In addition to regulatory challenges, one of the most consistent set of barriers to historic building reuse are inflexible building codes.⁷³ At times, for an adaptive reuse project to be successful, the project must comply with complex, modern building codes that do not easily comport with historic structures.⁷⁴ For adaptive reuse projects, modern “requirements for egress, fire suppression, and fire containment can be difficult or expensive to meet,” potentially ending a project’s vitality.⁷⁵ The National Trust for Historic Preservation and the Urban Land Institute recently identified five major code issues related to adaptive reuse:

- | |
|--|
| ● Process Complexity: Codes are managed by different municipal departments, “which can make approval time consuming, confusing, and expensive.” |
| ● Code conflicts: “Code requirements may conflict with historic preservation standards, especially those triggered by historic tax credit programs.” |
| ● Opaque or inconsistent approval process: “Permit approval depends on the judgment of code officials, some of whom may lack expertise in building reuse projects.” |
| ● Challenging building types |
| ● Upgrades triggered by change of use: By changing the use of a historic building, an owner may be required to incur expensive code upgrades. |

Today, states and cities across the country are starting to implement “outcome based compliance, which allows a project sponsor to meet the desired intent of the code using a flexible, holistic approach to ensure overall performance requirements.”⁷⁶ The 2000 publication of the International Existing Building Code (IEBC) laid the foundation for “alternative compliance parts” for existing and historic buildings. The City of Atlanta has adopted the IECB.⁷⁷ Yet, code compliance for historic buildings still remains a challenge.

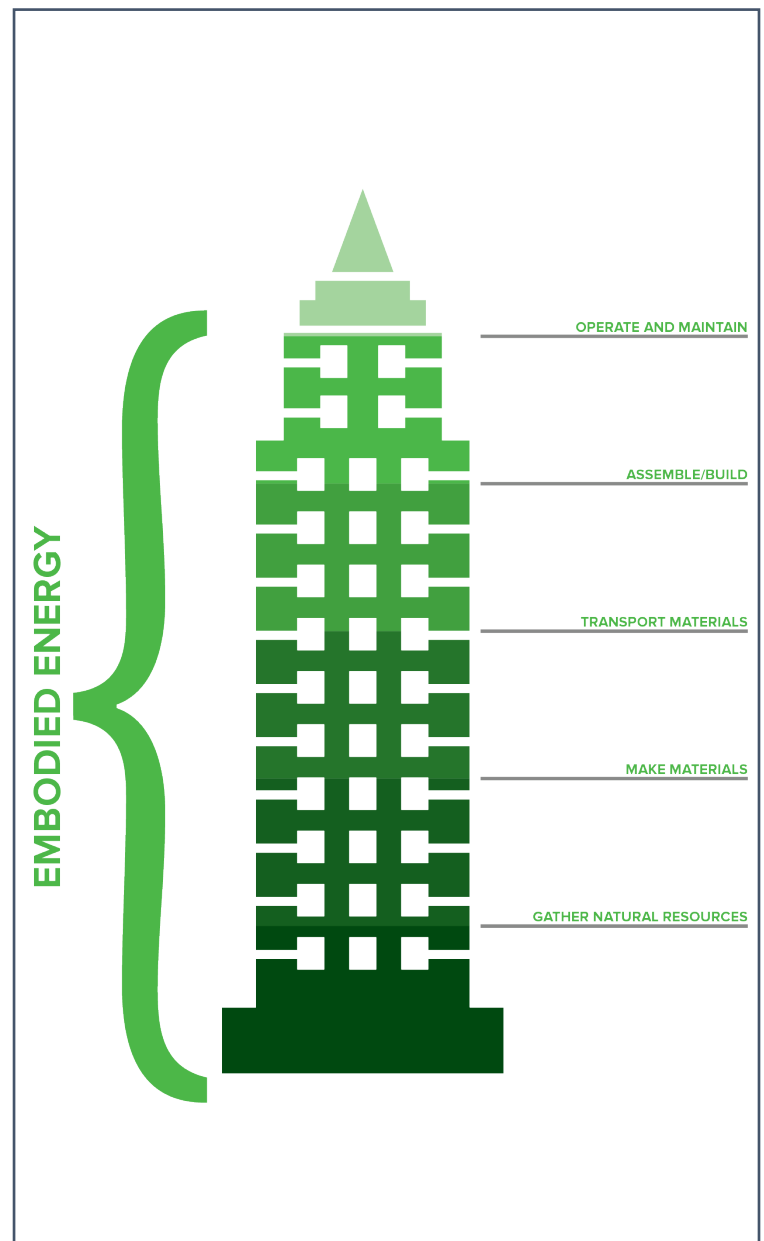
Looking forward, in a future zoning rewrite, the City of Atlanta should look to adopt building and energy codes specifically intended for adaptive reuse projects. For example, New Jersey implemented the first

Big Idea # 2: Packaging New & Existing Incentives for Adaptive Reuse

“Rehabilitation Subcode” that enabled adaptive reuse projects to meet code requirements. This subcode is “a stand-alone subchapter and, therefore, it contains all the technical requirements that apply to a rehabilitation project.”⁷⁸ The rehabilitation subcode “attempt to increase the safety of buildings, but largely allows buildings to remain unchanged, as long as alterations or a change of use do not demonstratively result in a lesser degree of occupant safety.”⁷⁹

An innovative feature of the New Jersey Rehabilitation Subcode is that the code establishes a “building as it exists as the baseline to measure safety, rather than measuring the safety of all buildings against standards for new constructions.”⁸⁰ Finally, the Rehabilitation Subcode allows for waiver of certain code requirements for historic buildings that are being restored per the National Park Service Standards.⁸¹ In sum, the New Jersey subcode is a starting point for the City of Atlanta to look in a future zoning code rewrite to allow for more flexibility for historic building reuse. In New Jersey, “spending on rehabilitation projects increased 60% in the year after the adoption of the Subcode.”⁸²

Why are building codes such an important issue? Historic preservation and adaptive reuse is also a leader in sustainable practices. Adaptive reuse provides for higher environmental savings than demolition and new construction. Even for new, energy efficient buildings, it can require 10 to 80 years for this building to overcome “the negative climate change impacts created by its construction.”⁸³



Big Idea # 2: Packaging New & Existing Incentives for Adaptive Reuse

Moreover, adaptive reuse avoids generating more landfill material and preserves the “embodied energy” of these structures: all of the “energy and carbon that was devoted to produce them.”⁸⁴

Older buildings are also “inherently green.”⁸⁵ The U.S. Energy Information Administration finds that commercial buildings from the 1920s use “less energy, per square foot, than buildings from any other decade of construction.”⁸⁶ Still more, many historic buildings are located along key transportation and density corridors, curbing sprawl and fuel consumption.⁸⁷ Historic adaptive reuse is recognized in the calculations for awarding prestigious Leadership in Energy and Environmental Design (LEED) certifications.⁸⁸ All of these reasons provide strong support for why the greenest building is one that is already built.⁸⁹ Flexible building codes not only support historic preservation but also sustainable development and should be incorporated in a future zoning rewrite.

REUSE BUILDINGS.
REUSE ENERGY.

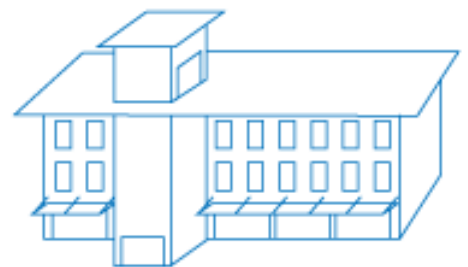


The greenest building is the one that's already built.



Rehabilitated & retrofitted mixed-use building

Embodied energy of existing materials production, transport, & assembly

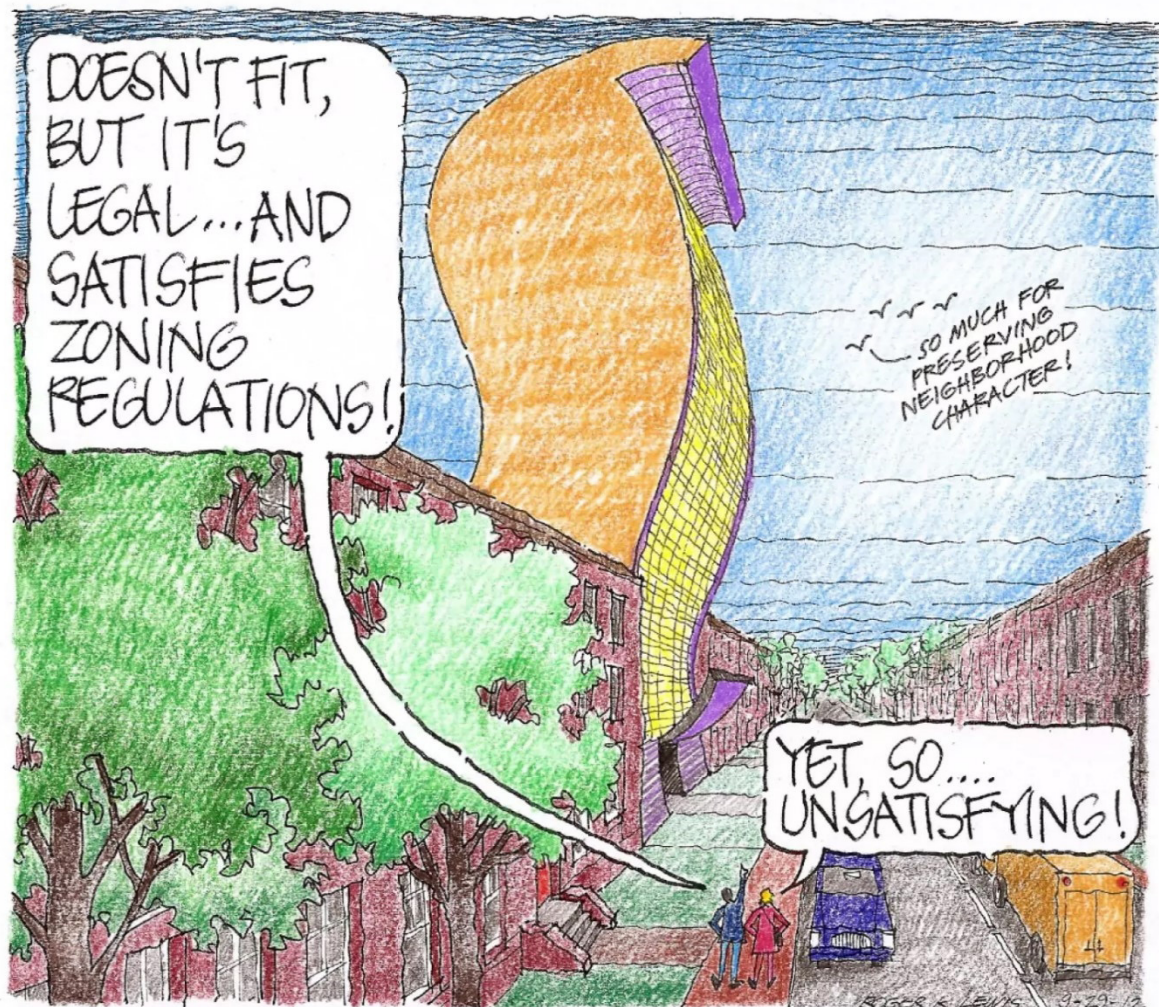


Newly constructed mixed-use building

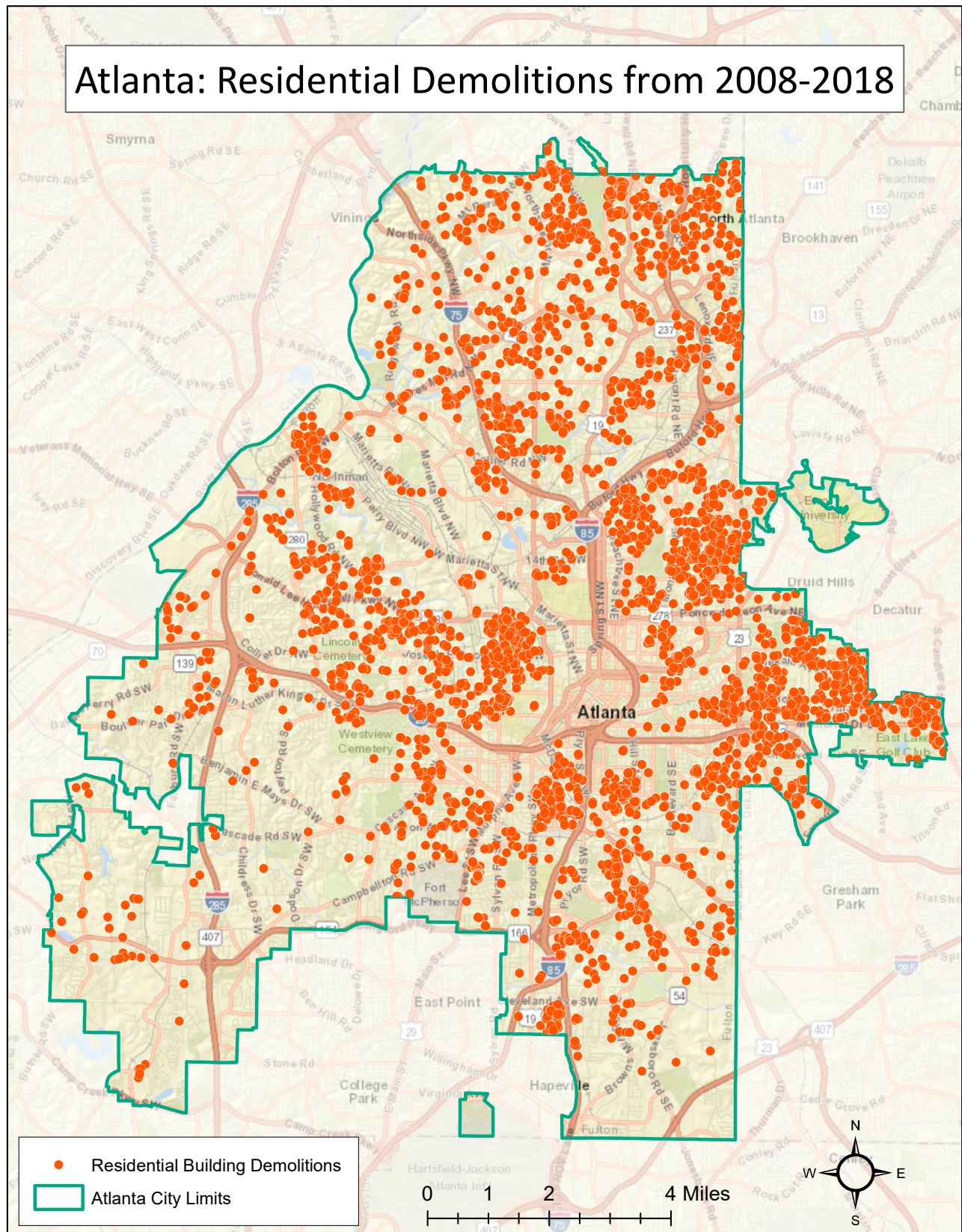
42–80 years to overcome negative environmental impact of construction

Big Idea # 3: Curbing Atlanta's Zoning Mismatches

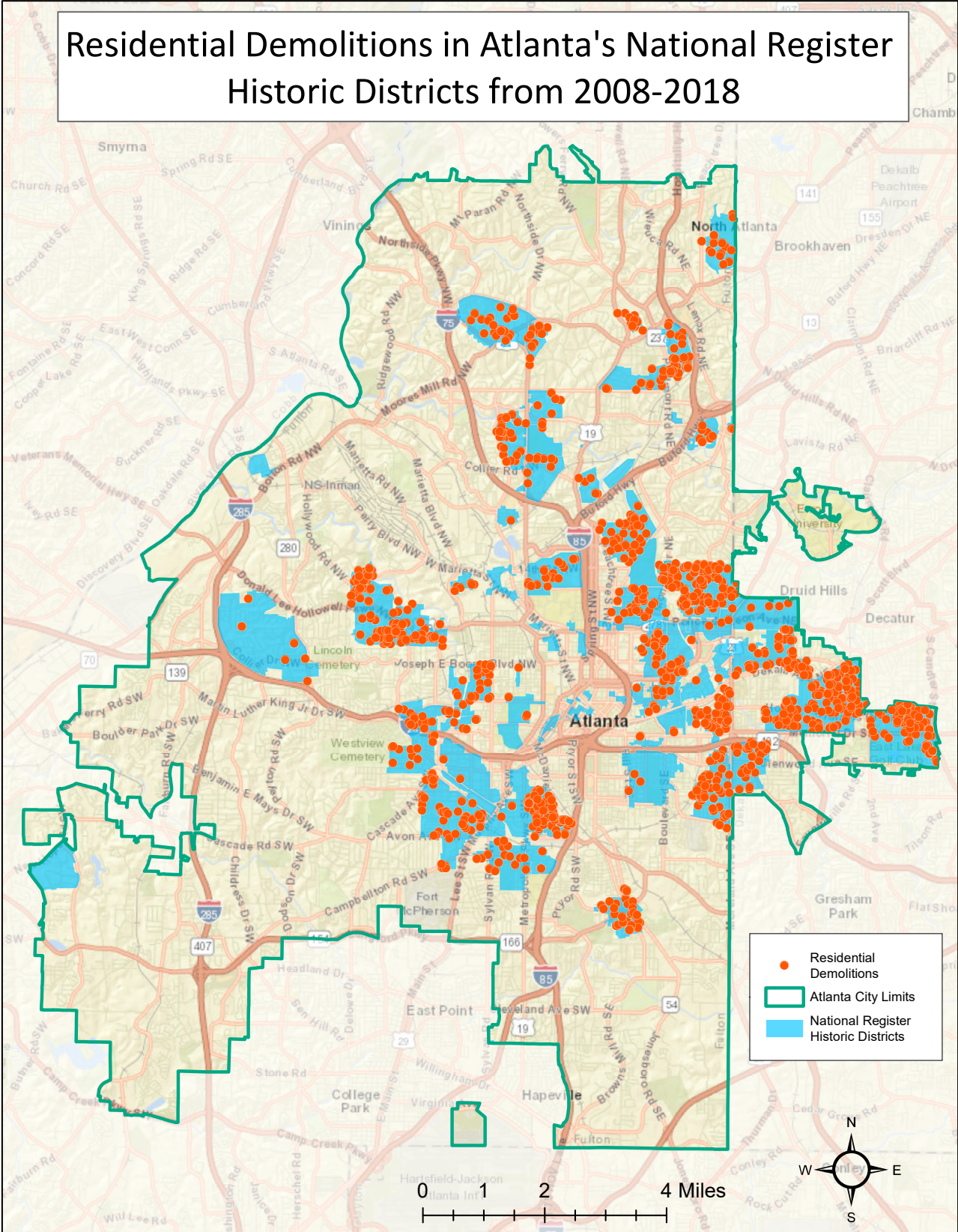
As previously noted, a major challenge to historic preservation is the ability for developers to build new development that is drastically in conflict with the character, design, and importantly the scale of the existing historic neighborhood. For example, a 1,400 square foot historic home may be replaced with a 4,000 square foot home because the zoning code allows for such development. As shown in the maps on the next two page, over 3,000 single family homes have been demolished between 2008 and 2018 for new construction. A number of these demolitions are occurring in neighborhoods that are listed in the National Register of Historic Places but do not have local designation protection. The Zoning Diagnostic identified this major concern as well, finding that "many are still concerned with the scale of new houses in existing neighborhoods." The CDP's urban design policies mirror many of these concerns. Thus, what can be done to



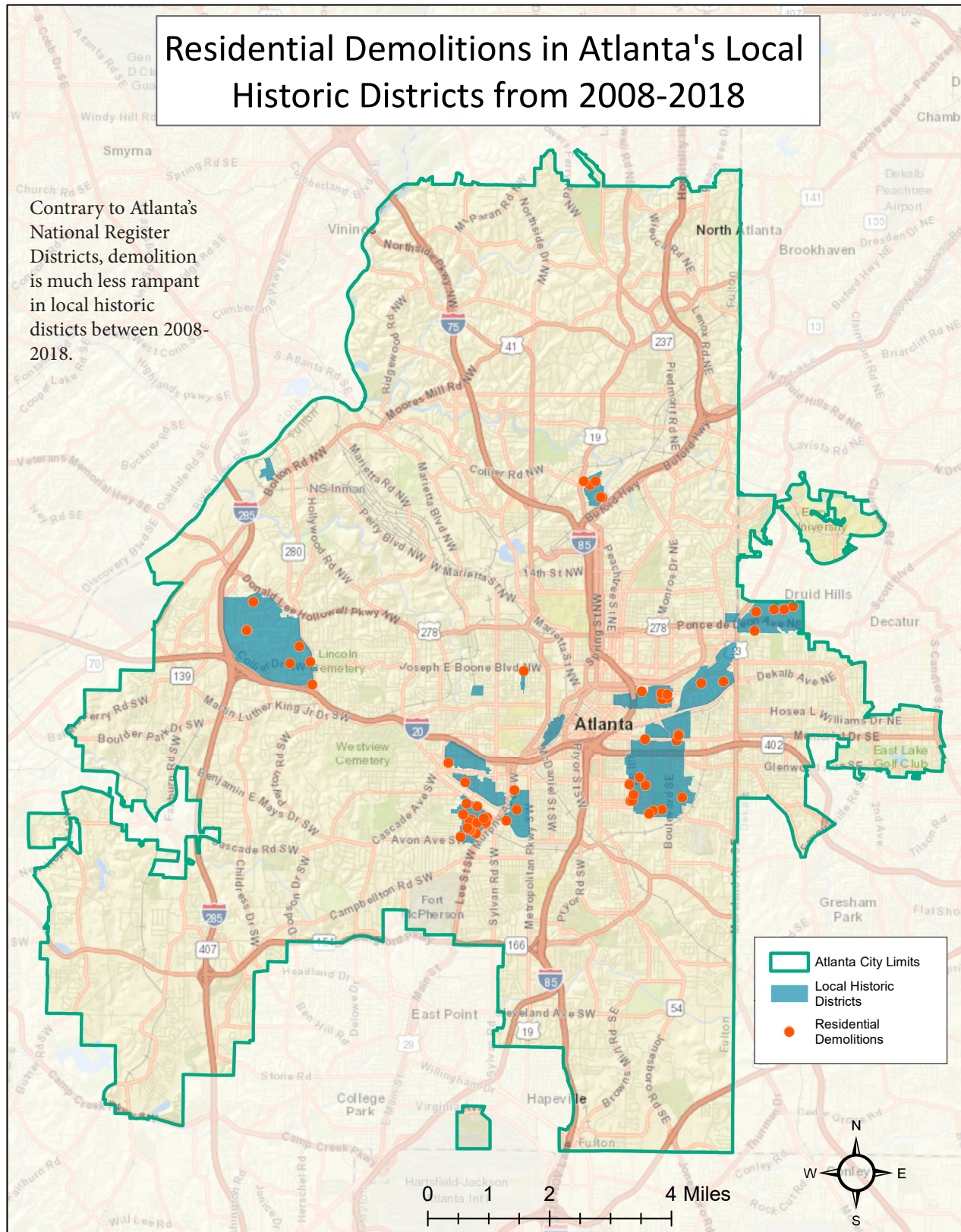
Big Idea # 3: Curbing Atlanta's Zoning Mismatches



Big Idea # 3: Curbing Atlanta's Zoning Mismatches



Big Idea # 3: Curbing Atlanta's Zoning Mismatches



Big Idea # 3: Curbing Atlanta's Zoning Mismatches

curb the growing number of McMansions replacing smaller and more affordable, historic homes?

Traditionally, zoning has not addressed “essential preservation, architectural and urban design issues.”⁹⁰ In fact, if an applicant meets zoning requirements, Atlanta’s code is mute on form and design. Here, it is recommended that the City of Atlanta make adaptive reuse the priority rather than the alternative by utilizing FAR and new building typology, height and lot coverage tools.

Zoning Recommendations	Details
❖ Explore the use of Maximum Building footprint size and/or maximum parcel size in residential neighborhoods	<ul style="list-style-type: none"> ➤ In historic neighborhoods that are not locally designated but more context or place based preservation, the Code should only allow new construction back to the original footprint. ➤ Thus, if a developer demolishes a 2,000 square foot home, a 4,500 square foot McMansion cannot be rebuilt.
❖ Incorporate building typology, height, and lot coverage tools in place of exclusively using FAR in single family neighborhoods	<ul style="list-style-type: none"> ➤ These building typology regulations may include basic design elements applicable to specific neighborhood and may include requirements such as a front porch or no street facing garage. ➤ Depending on the historic neighborhood, different height and setback metrics could be applied. Even more, height and setback metrics could vary by building typology. ➤ For example, in Atlanta’s historic Candler Park neighborhood, the regulations would allow a storefront to be built to the sidewalk where a greater setback would be required for single family homes.
❖ Allow Accessory Dwelling Units by right in all single family National Register Districts	<ul style="list-style-type: none"> ➤ By doing so, housing options may be expanded in historic neighborhoods without having to resort to demolition and incompatible infill. ➤ Do not require off-street parking for ADUs.
❖ Allow new, smaller structures: duplexes, triplexes and clustered cottages on empty/vacant lots.	<ul style="list-style-type: none"> ➤ Where missing middle housing has traditionally existed, infill development on vacant lots should be able to utilize this housing type.

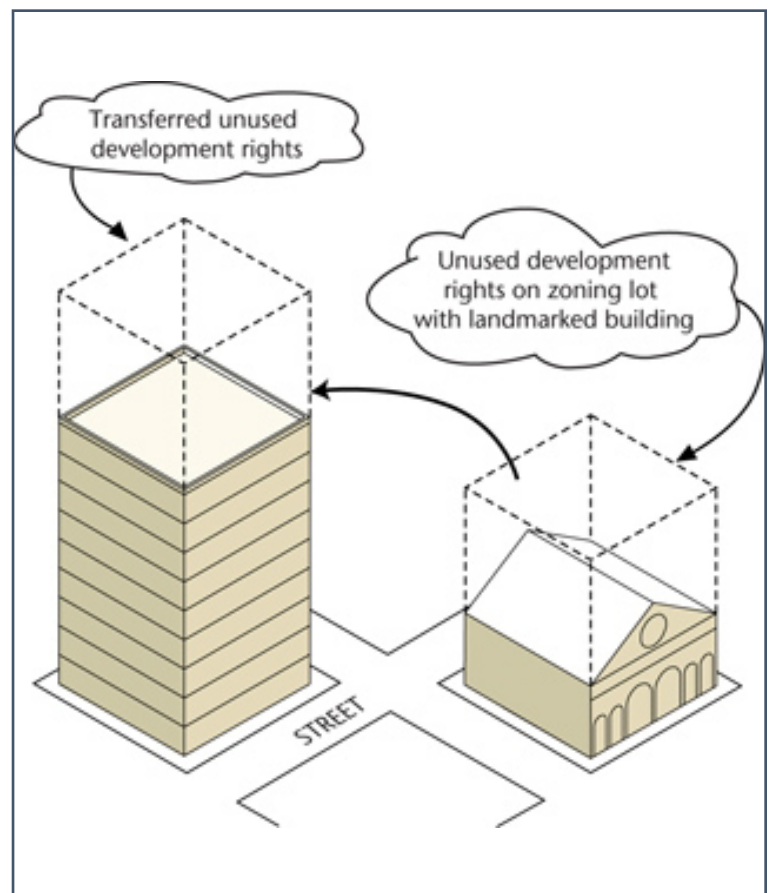
Big Idea # 4: Floor Area Ratio, Transferable Development Rights, & 'High Activity Centers'

The Atlanta Zoning Diagnostic identified floor area ratio (FAR) as a key issue for the future zoning code rewrite. FAR represents the relationship between the total amount of usable floor area that a building has, or has been permitted for the building, and the total area of the lot on which the building stands. As the Diagnostic states, FAR “is an effective tool at controlling how much building floor area can fit on a site, but it is a poor indicator of building form.”⁹¹ For residential areas of Atlanta with historic resources, FAR, by itself is a less useful tool. For that reason, some cities have begun to selectively use a form based approach that regulates building height, lot coverage, setbacks, and façade length.

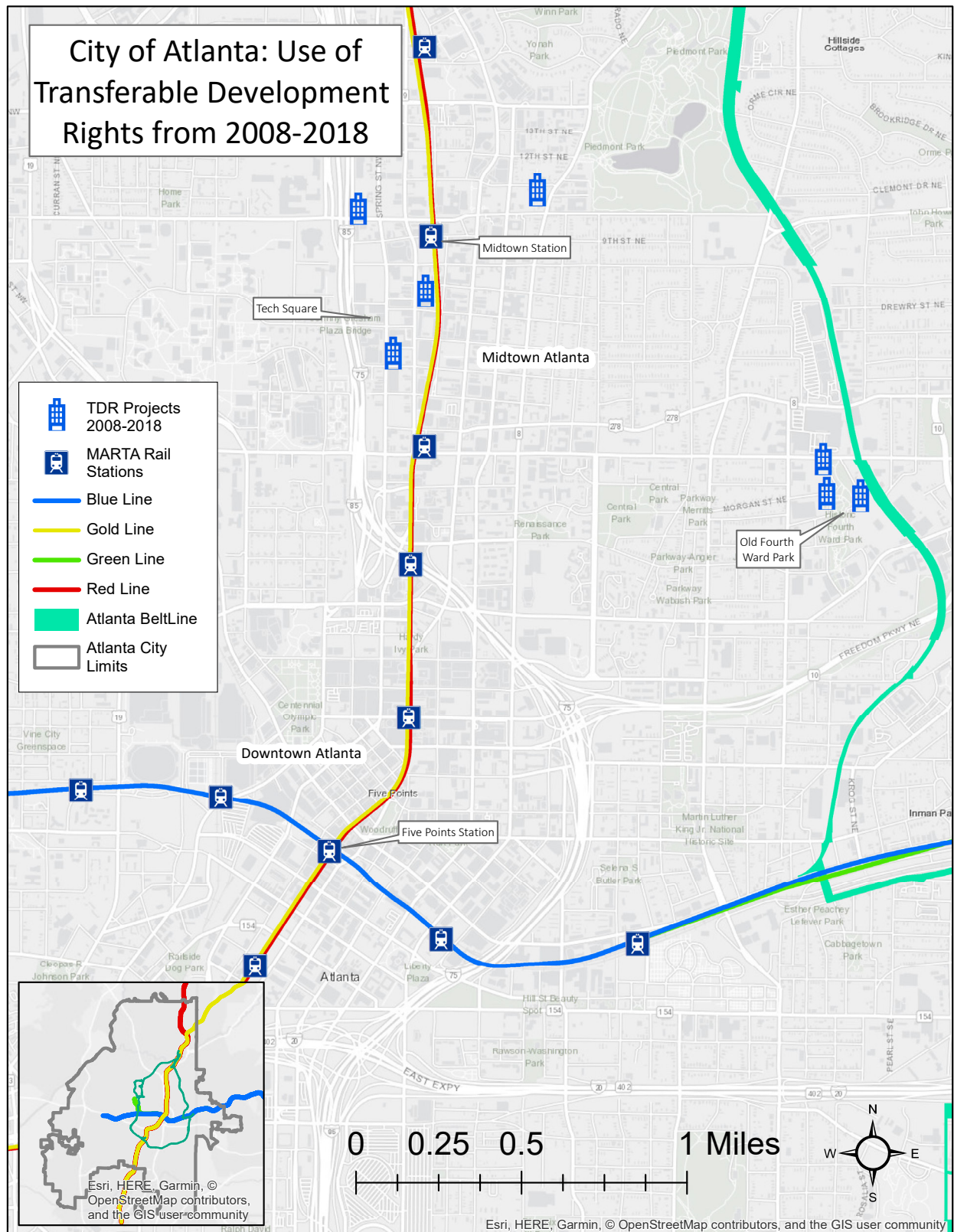
Still, FAR remains a powerful tool in more densified areas of the city. It is recommended that the future Zoning Code retain and incorporate FAR in ‘high activity centers,’ including Buckhead, Midtown, Downtown, and around existing transit infrastructure. FAR is a preservation tool and the “currency” for making Transfer of Development Rights (TDR) possible. TDR is an “a voluntary, incentive- based program that allows landowners to sell development rights



Figure 10. The Margaret Mitchell House in Midtown utilized TDR as one method preservationa preservation.



Big Idea # 4: Floor Area Ratio, Transferable Development Rights, & 'High Activity Centers'



Big Idea # 4: Floor Area Ratio, Transferable Development Rights, & 'High Activity Centers'

from their land to a developer or other interested party who then can use these rights to increase the density of development at another designated location.”⁹²

As seen in the previous map, since 2008, the City of Atlanta has only witnessed less than ten TDR projects. The current TDR ratio is 1:1. The City of Atlanta should place high premium on its historic resources by setting density low and giving high density bonuses for incorporating preservation into a project. Rather than a 1:1 ratio, the TDR ratio should be more akin to 1:10. Additionally, this valuable planning and preservation tool should be streamlined and promoted in Atlanta's high activity centers, as shown in the map below. As the Zoning Diagnostic illuminates, the TDR provisions in the City of Atlanta Zoning Code are not centralized. Rather, the TDR provisions can be found in discordant chapters and subsections. It is recommended that the TDR process is

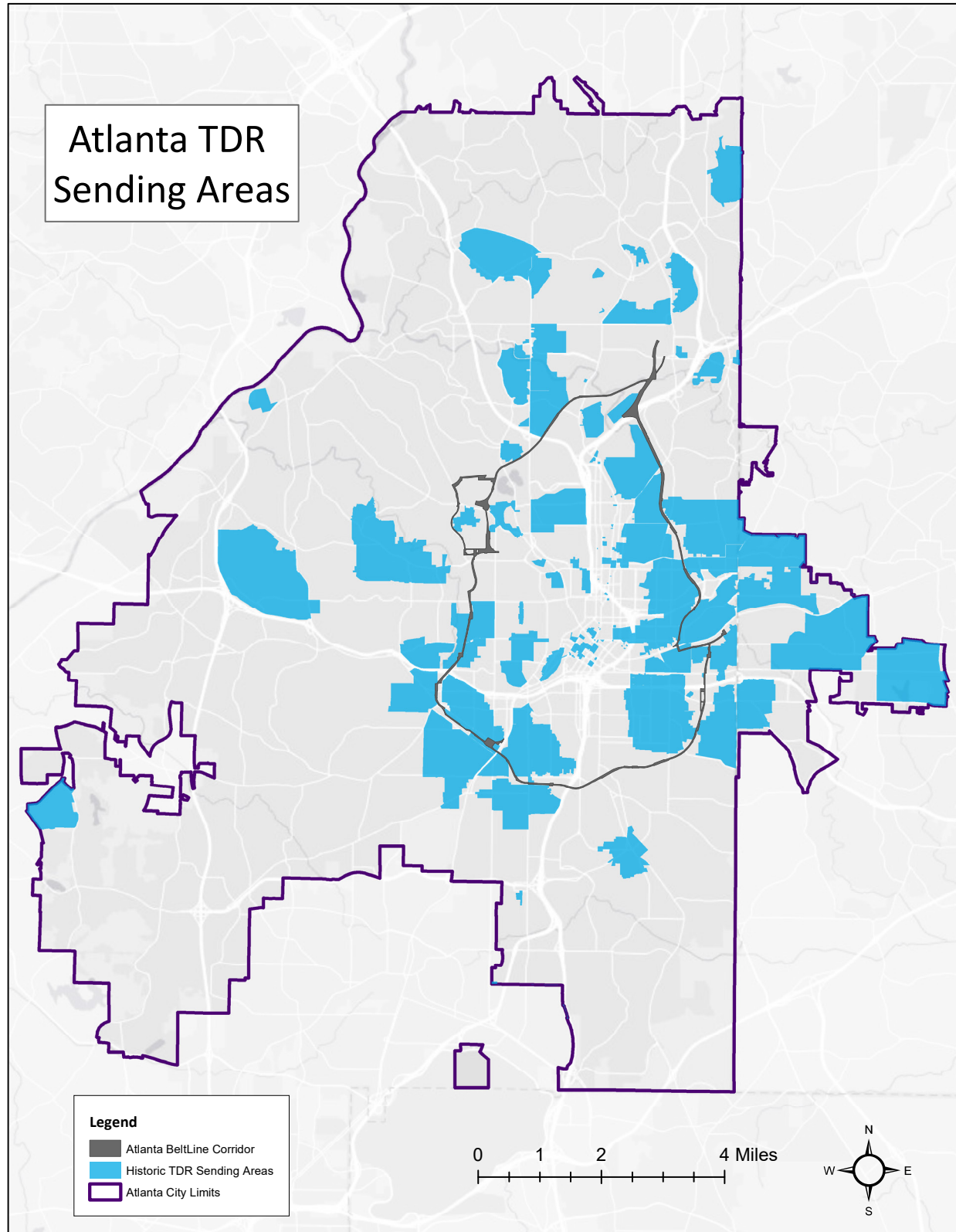


Figure 11. The Peters House/Ivy Hall (SCAD) was saved by the Atlanta Preservation Center and others through tools such as TDR.

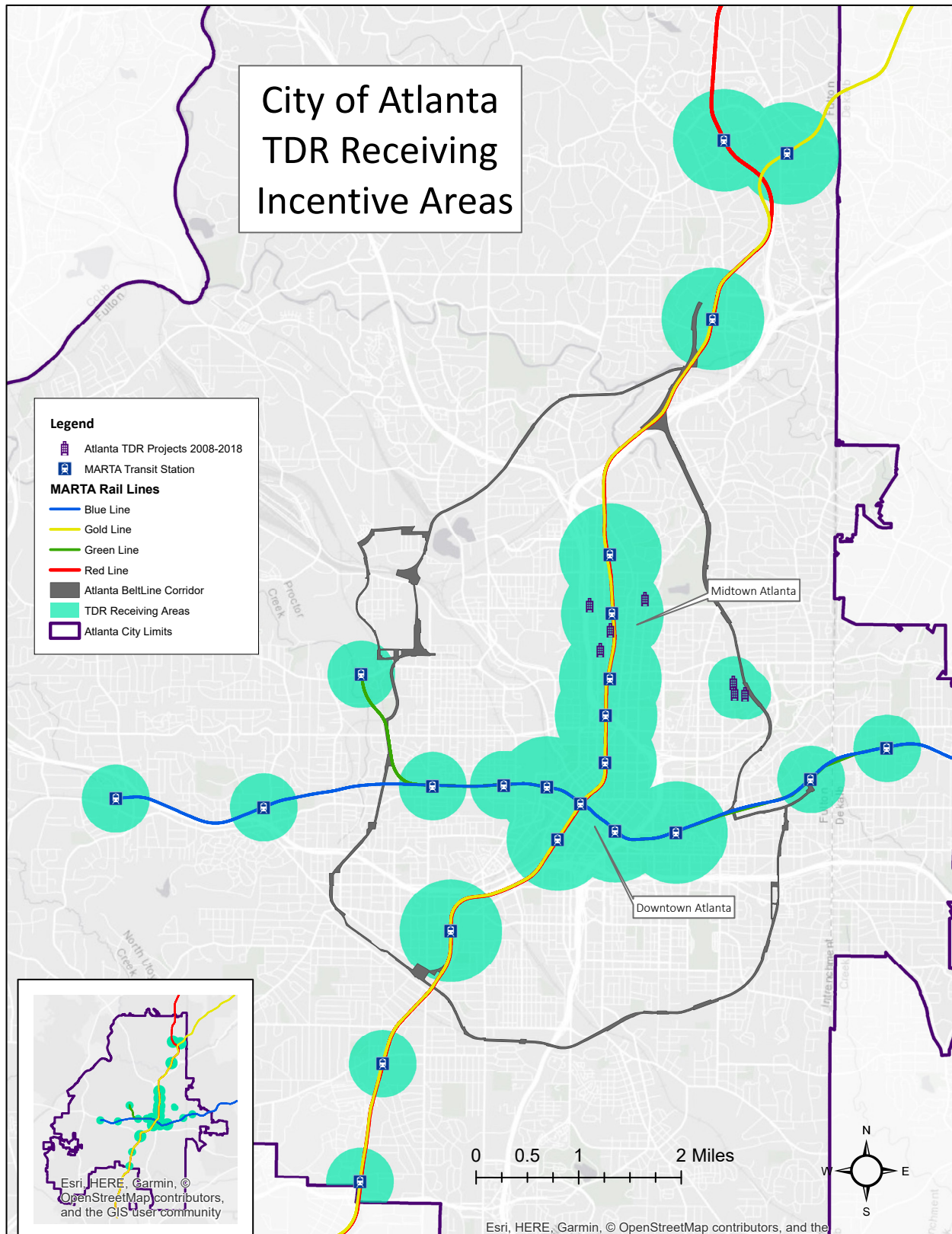


Figure 12. The Academy of Medicine in Midtown utilized TDR in support of historic preservation.

Big Idea # 4: Floor Area Ratio, Transferable Development Rights, & 'High Activity Centers'



Big Idea # 4: Floor Area Ratio, Transferable Development Rights, & 'High Activity Centers'



Big Idea # 4: Floor Area Ratio, Transferable Development Rights, & ‘High Activity Centers’

streamlined into one section. Furthermore, a successful TDR program hinges on utilizing demand for density. Consequently, “if developers can achieve desired densities by right, there is little incentive to take on the added burden of requesting a special permit to transfer excess development rights from a historic property.”⁹³ Keeping and sustaining a demand for density in Atlanta should be a priority. The maps included in this section represent proposed sending and receiving areas for TDR in Atlanta. The sending areas constitute all historic districts within the City of Atlanta (National Register and Local). If an owner wants to take advantage of the TDR program and only lives in a National Register district, their property would have to become locally designated to become eligible. All TDR receiving areas constitute those high density areas around existing transit infrastructure and existing centers of business, culture and education.

Big Idea # 5: Trade Program for Atlanta’s Youth

The larger Atlanta construction industry faces a shortage of skilled workers.⁹⁴ Per research by Construction Industry Resources, Inc., the highest need is for craft laborers, who “perform many basic tasks on construction sites and mostly work full time.”⁹⁵ While the average pay for craft laborers starts around \$30,000, this position holds immense potential for advancement. Big Idea Number. Six recommends that the City of Atlanta partner with community organizations such as Westside Works, among others, to establish a trade program for Atlanta’s youth. This program would provide construction related job training with specific emphasis on building reuse craftsmanship and skills training.

In looking at how to structure this program, the City of Detroit provides a good example. In Detroit, the revitalization, restoration, and renovation of its historic building stock is being led by a new skilled workforce.⁹⁶ The Michigan Historic Preservation Network collaborated with the City of Detroit to launch the Living Trades Academy in the City’s North End neighborhood. This nine-week program provides “underemployed or unemployed Detroiters into a building in need of rehab; this pilot cohort is working in a former synagogue and church, which will become a “living lab” where they’ll learn trades from skilled craftspeople.”⁹⁷ The program provides skills training on plaster repair, window restoration, skills needed to “preserve the historic character of these homes and buildings.”⁹⁸ After the program, participants are matched

Big Idea # 5: Trade Program for Atlanta's Youth

with local contractors while receiving an income in the program.

In Atlanta, a partnership between the City, preservationists, developers, local technical colleges, non-profit community development corporations and more, could be realized. This program could start small, perhaps with one historic home needing rehabilitation work that could serve as a living lab for program participants. Currently, Westside Works has a four-week commercial and residential construction training program. Big Idea Number Six recommends potentially partnering with Westside Works to expand this program to include training specifically tied to adaptive reuse.

Moreover, a four to nine week training program, modeled after the program in Detroit, can serve two important purposes. First, the program can provide specific, tangible skills training to Atlanta's youth in an industry with advancement potential. Second, the program could partner with the City of Atlanta to rehabilitate individual buildings within the City. The City of Atlanta has started a blight removal program. The contours of this program are unclear as to what the plan is for blighted lots in the future and whether some homes may have rehabilitation potential.

Here, this proposed program could rehabilitate an individual home that the City has acquired through its blight program. This process would allow the City to remove blight, provide direct training to Atlanta's youth, preserve historic homes, and provide affordable housing in the future.

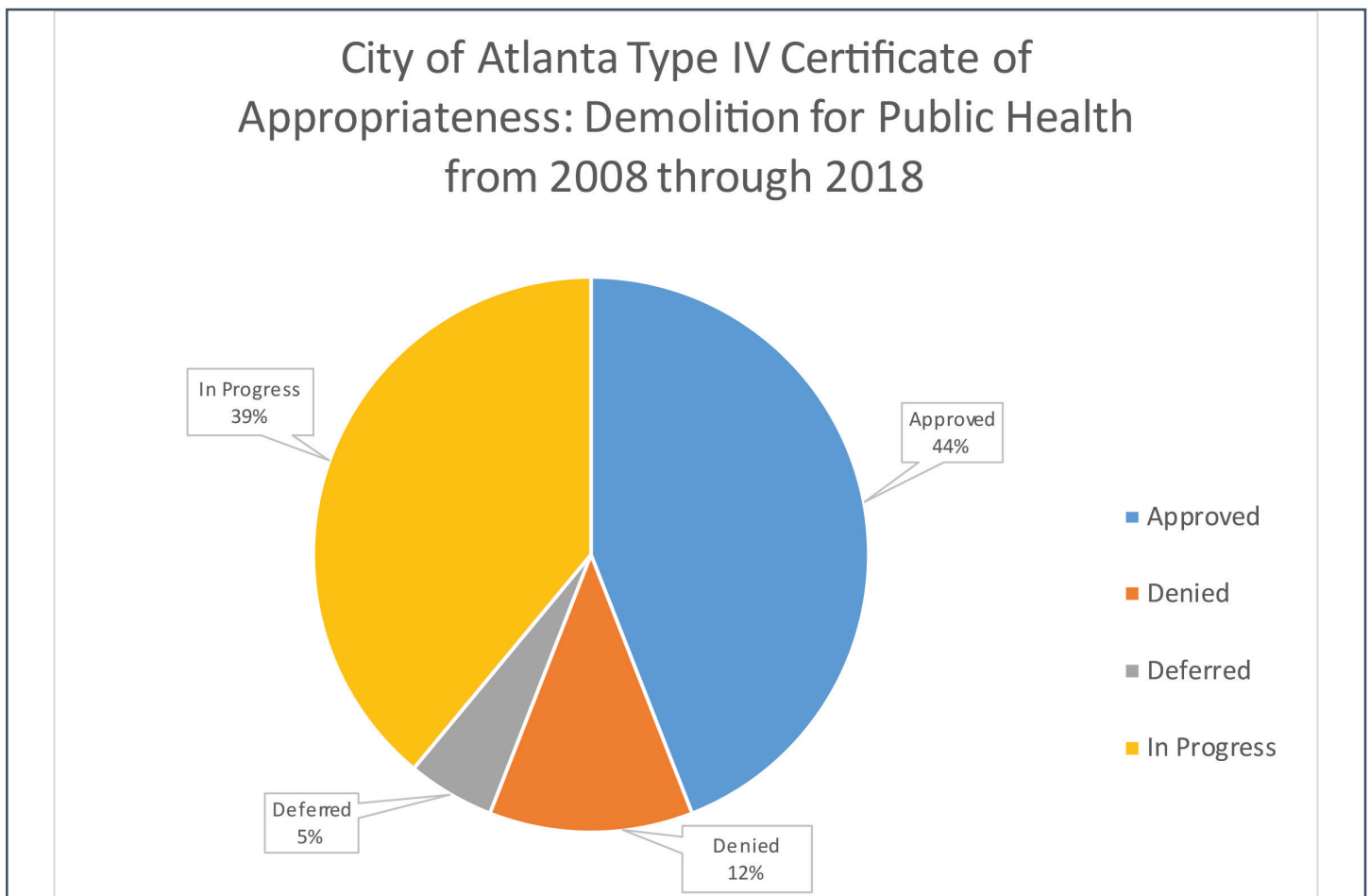


Figure 13. The first Living Trades Academy Rehabilitation Project in Detroit: a historic home in the City's North End.

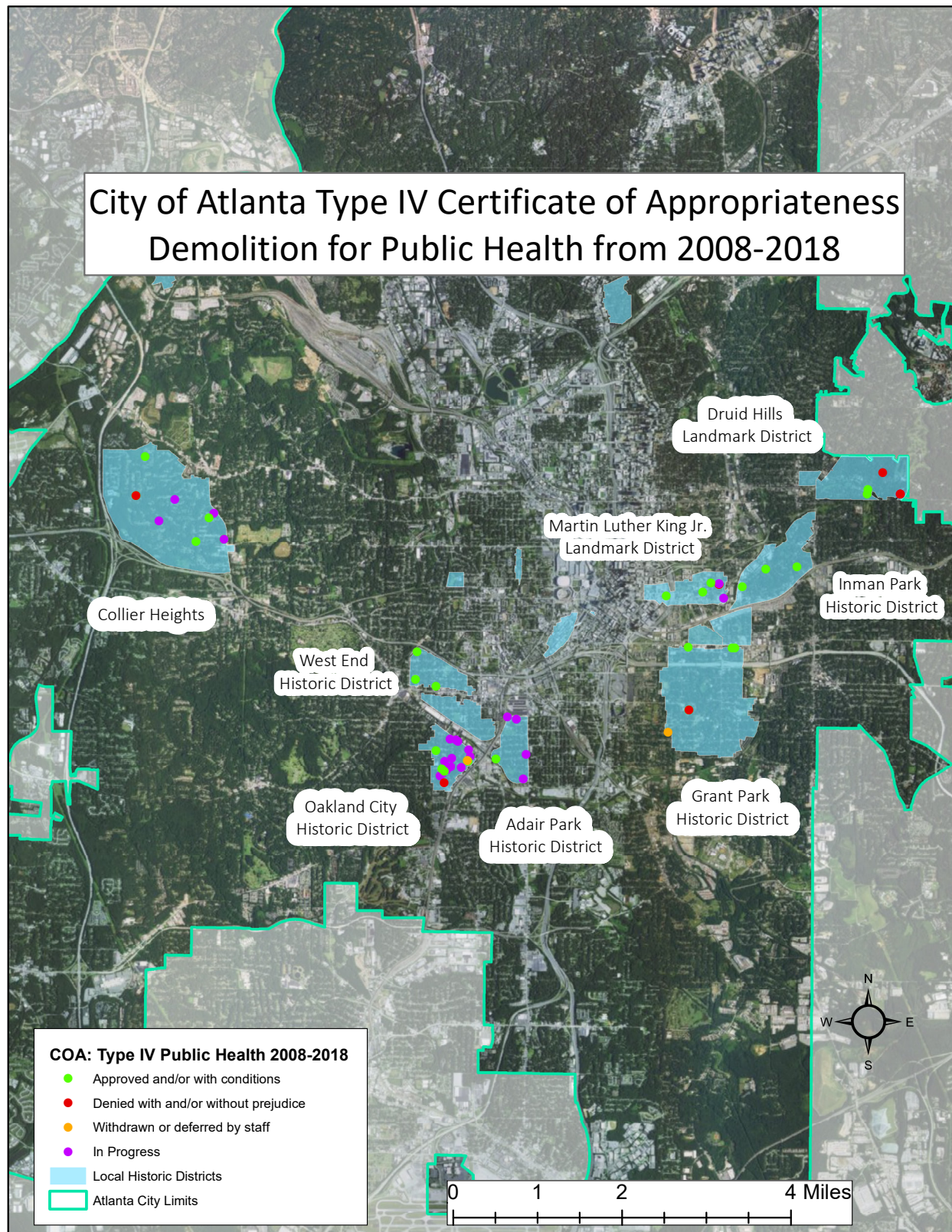
Big Idea # 6: Updates to the Urban Design Commission

As the City of Atlanta moves forward with a zoning code update, the Urban Design Commission should be given an opportunity to evolve as well. As the data shows, the majority of Type IV Certificate of Appropriateness applications for demolition involve public health risks.⁹⁹ The City of Atlanta should earnestly explore fully enforcing a demolition by neglect section that currently exists in the historic preservation ordinance. Demolition by neglect, whether willful or not, is defined as “the absence of routine maintenance and repair over time, leading to structural weakness, decay or deterioration to the point where a building or structure meets standard criteria for condemnation.”¹⁰⁰ Undoubtedly, unsafe buildings, historic or otherwise, that pose a real public health threat should be given the potential for demolition. However, there are instances where an individual owner buys up multiple lots, provides no maintenance, and is solely interested in the property for investment reasons. Historic buildings are then allowed to deteriorate to the point of a public health issue, necessitating demolition.

Figure 14. City of Atlanta, Demolition Applications through the Urban Design Commission on the public health risk, 2008-2018. Source: City of Atlanta



Big Idea # 6: Updates to the Urban Design Commission



Big Idea # 6: Updates to the Urban Design Commission

Atlanta has an existing provision relating to maintenance and enforcement so that locally designated buildings do not “deteriorate, decay, or become damaged or otherwise fall into a state of disrepair.”¹⁰¹ The extent to which the City is actively enforcing this provision is unclear. This provision must be fully enforced to protect historic resources and the residents of these neighborhoods. Of note, this provision is not intended to fall on individual homeowners, through no fault of their own, cannot afford to make necessary repairs. In fact, several local historic districts have waivers in place for nominal repairs so that fees and fines are not accrued. Rather, this demolition by neglect/maintenance provision is intended for those property owners that own multiple properties and allow historic structures to deteriorate without recourse. Notably, as the chart and map below show, a lack of economic return was used as a reason for demolition in Atlanta’s wealthier historic districts.

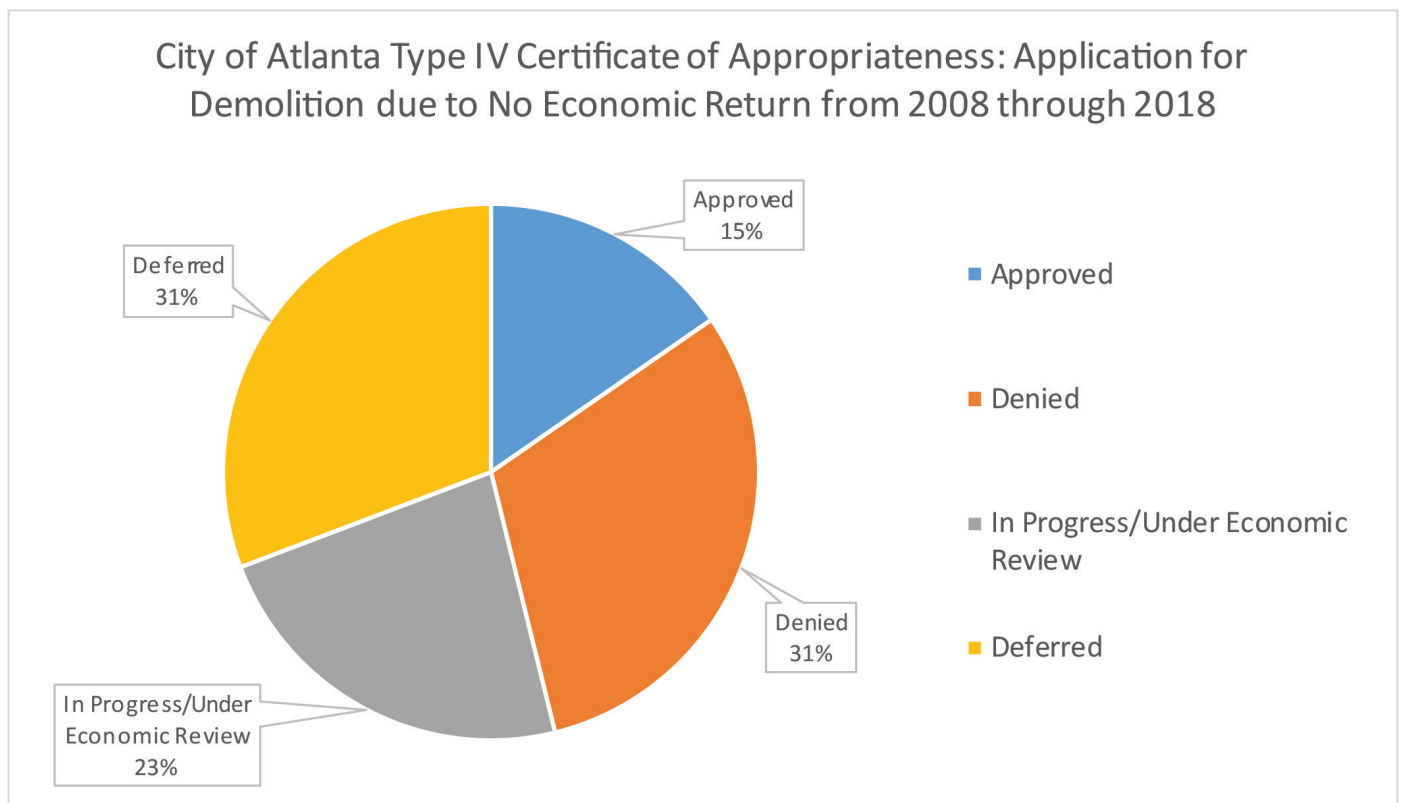
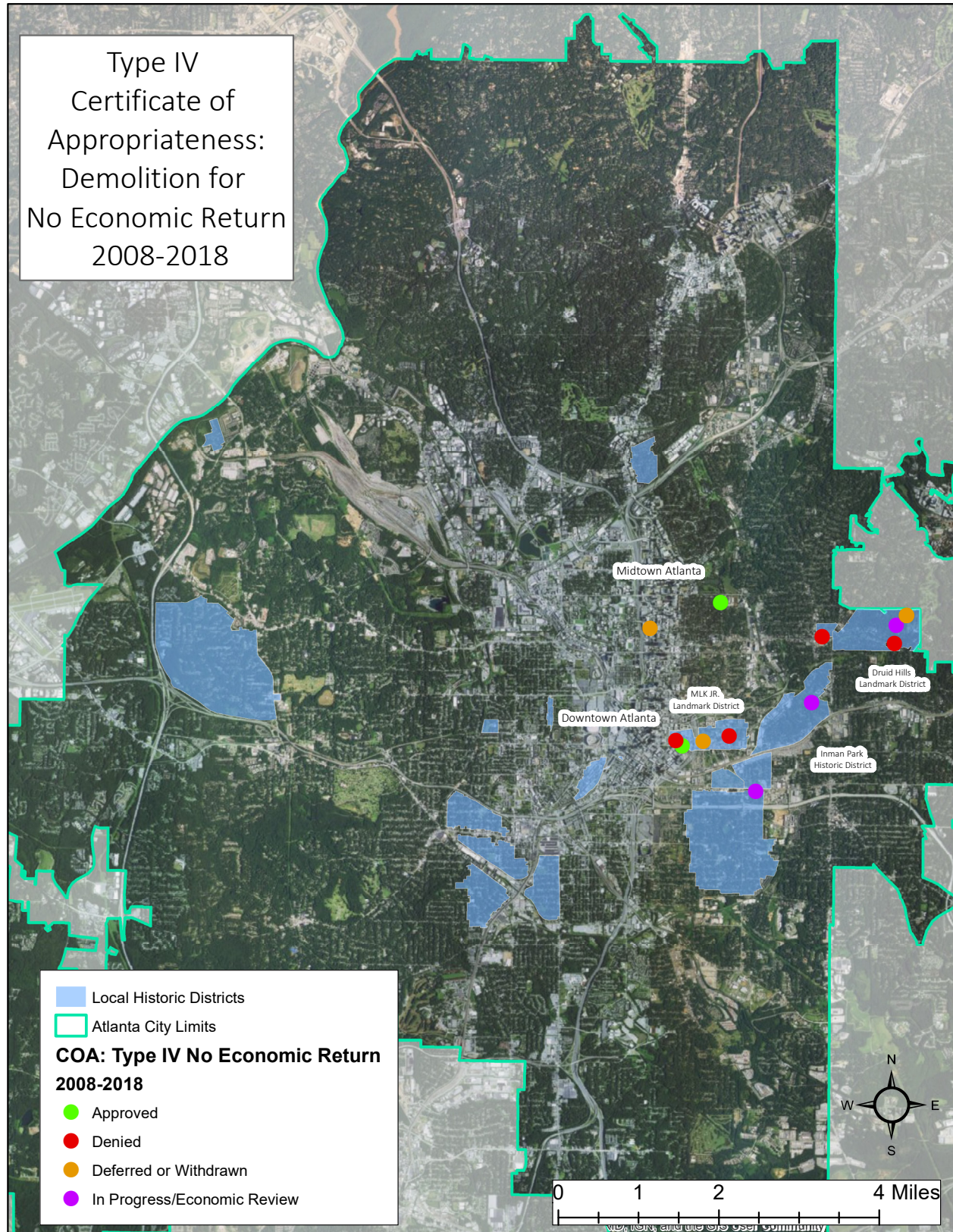


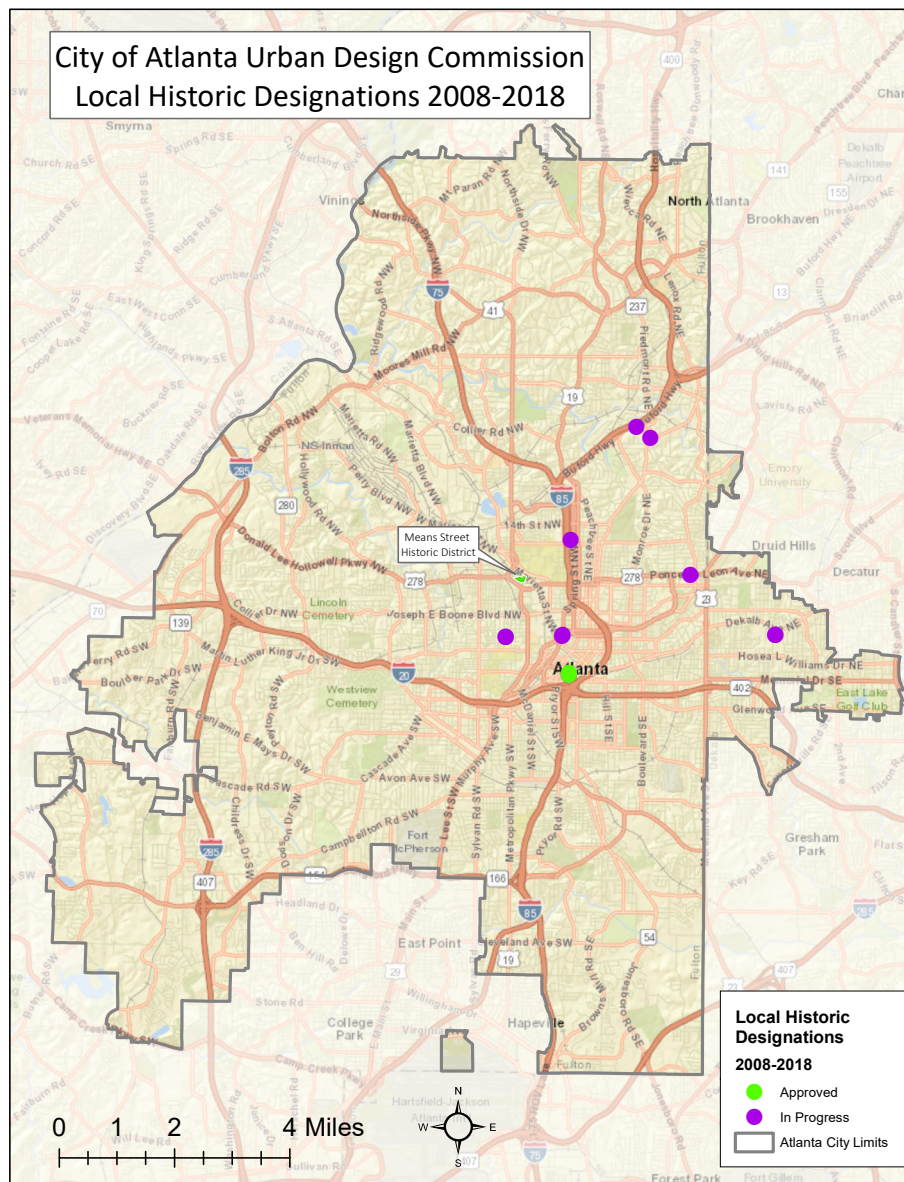
Figure 15. City of Atlanta, Demolition Applications through the Urban Design Commission on the basis of no economic return, 2008-2018. Source: City of Atlanta.

Big Idea # 6: Updates to the Urban Design Commission



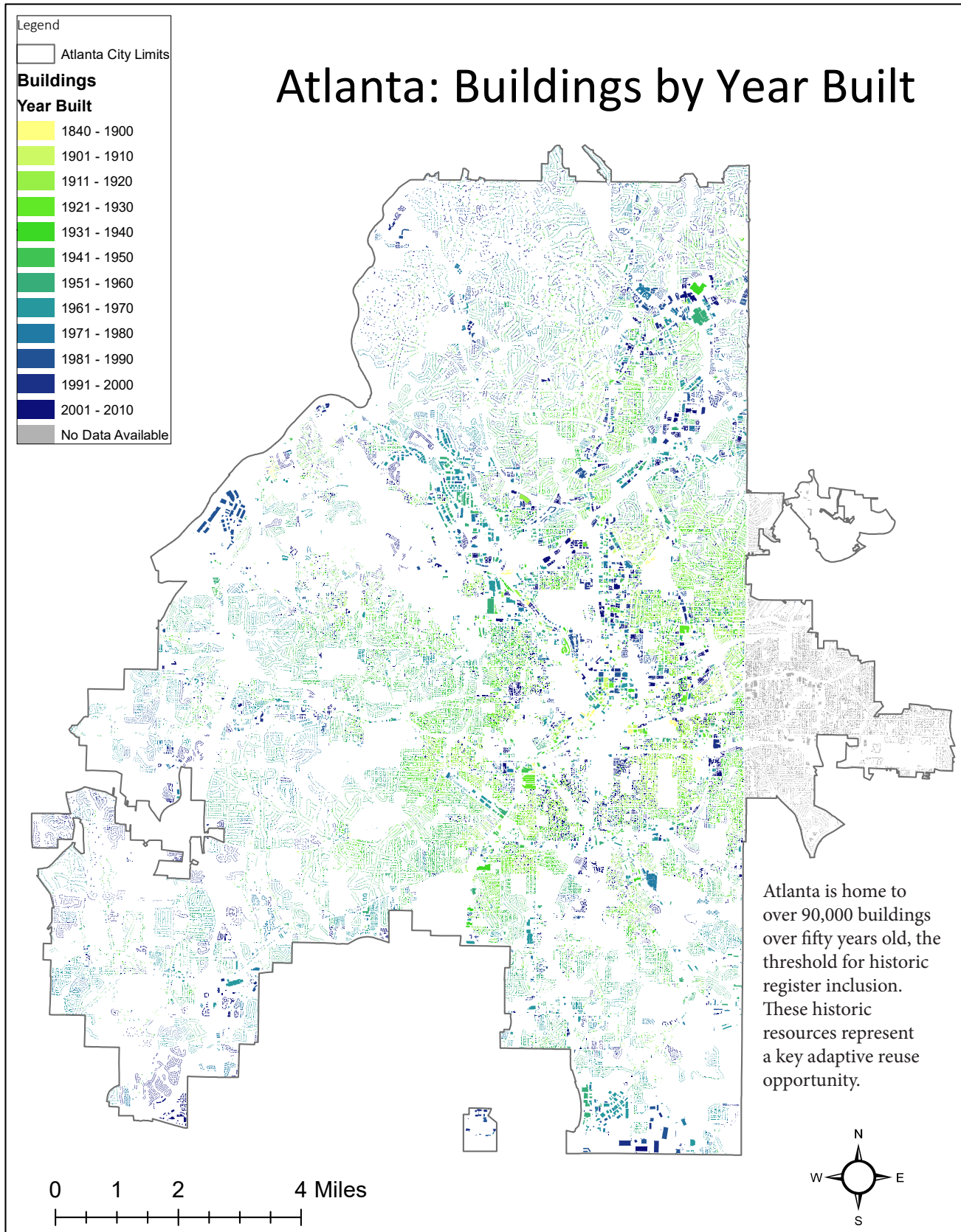
Big Idea # 6: Updates to the Urban Design Commission

A final recommendation is to enable the UDC to focus on protecting more resources. As the following maps highlight, the UDC has only been able to designate less than ten sites or districts within the last decade even though there are a significant number of historic resources that may merit local protections. The CDP, Atlanta BeltLine Master Plans, and other adopted plans all identify historic resources that merit local protection. It is recommended that the UDC workload be greater streamlined to allow for greater preservation and protection of Atlanta's historic resources. The following maps illuminate the historic resources that the City of Atlanta should incorporate into future planning decisions and the Zoning Code Update.

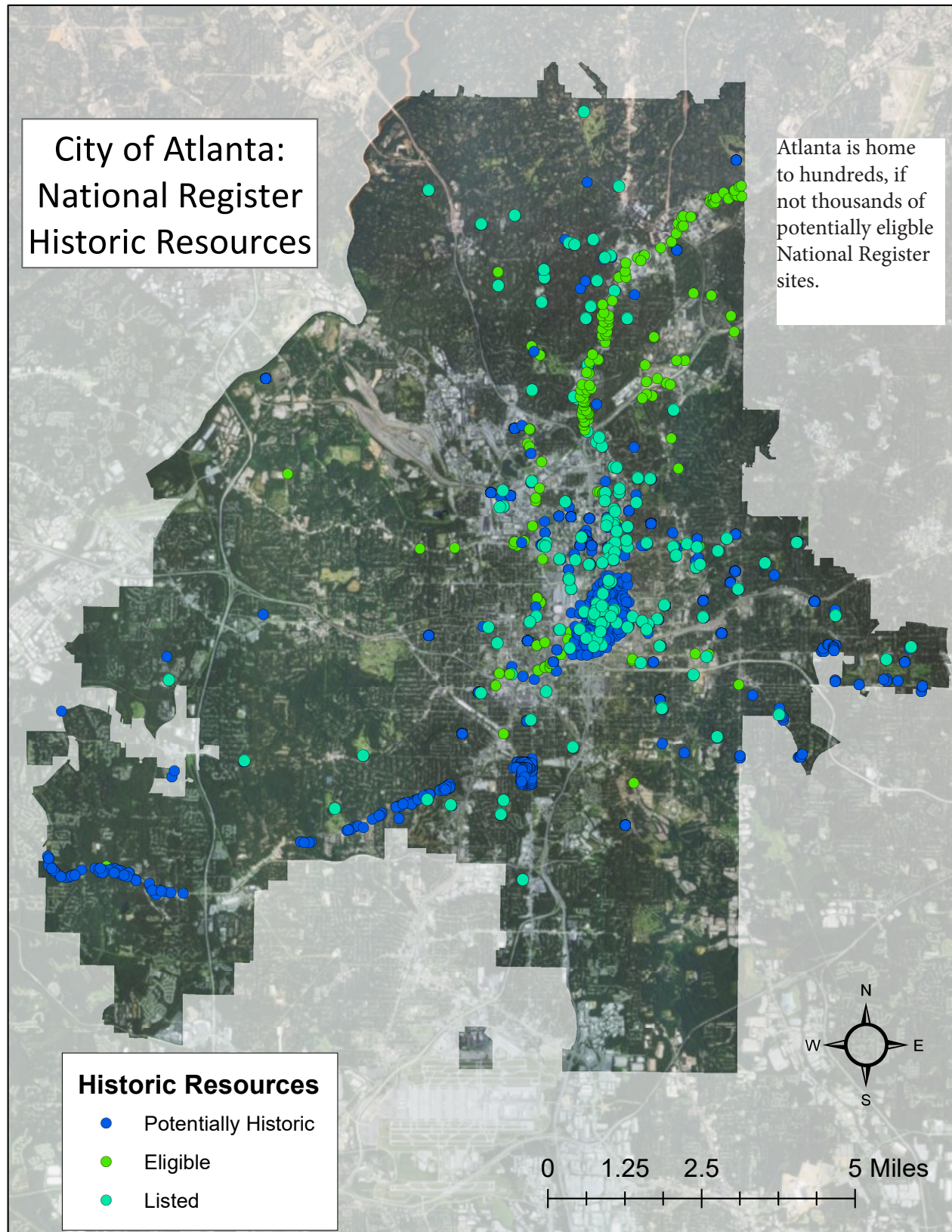


Since 2008, the City of Atlanta has only proposed and designated less than ten local historic sites.

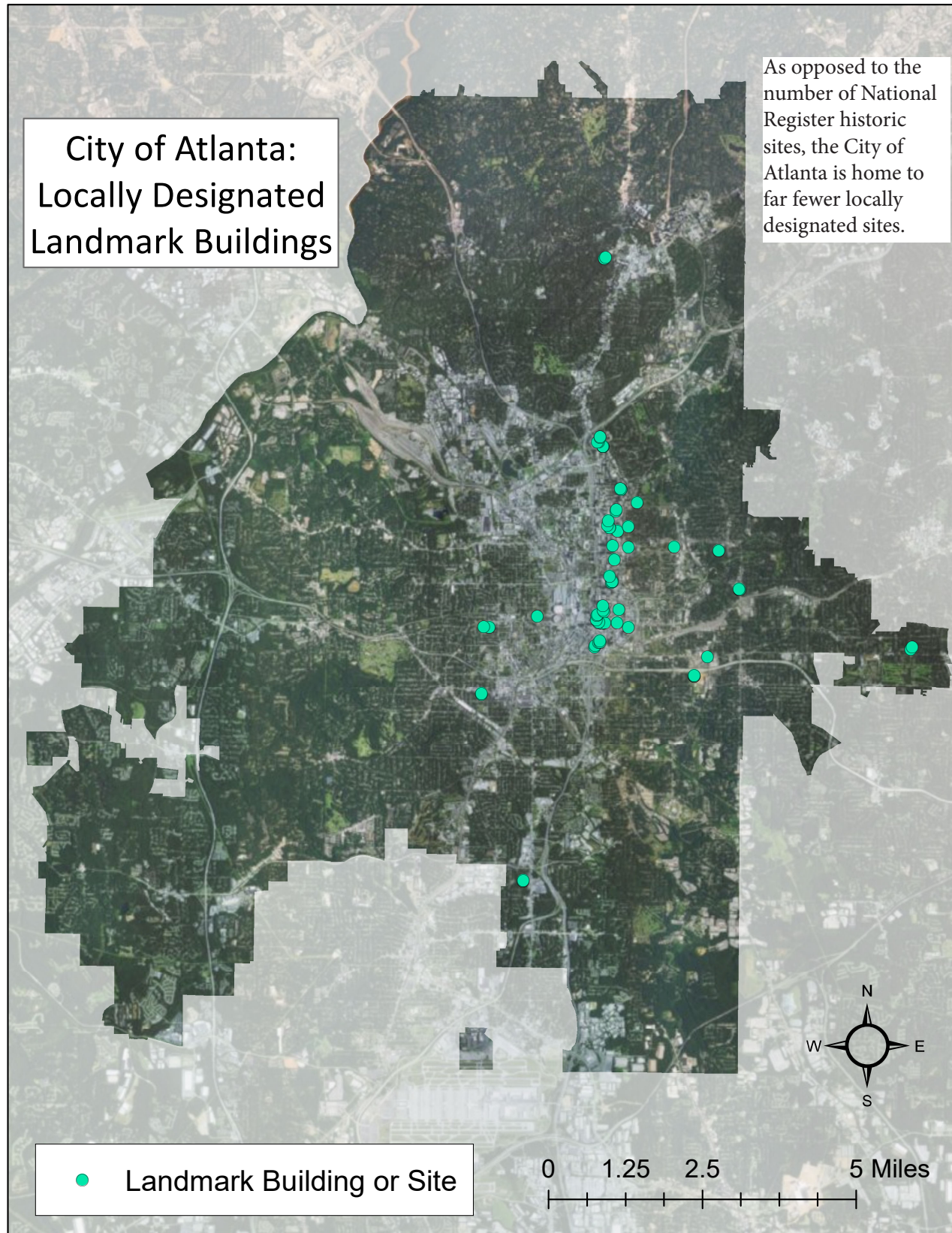
Big Idea # 6: Updates to the Urban Design Commission



Big Idea # 6: Updates to the Urban Design Commission



Big Idea # 6: Updates to the Urban Design Commission

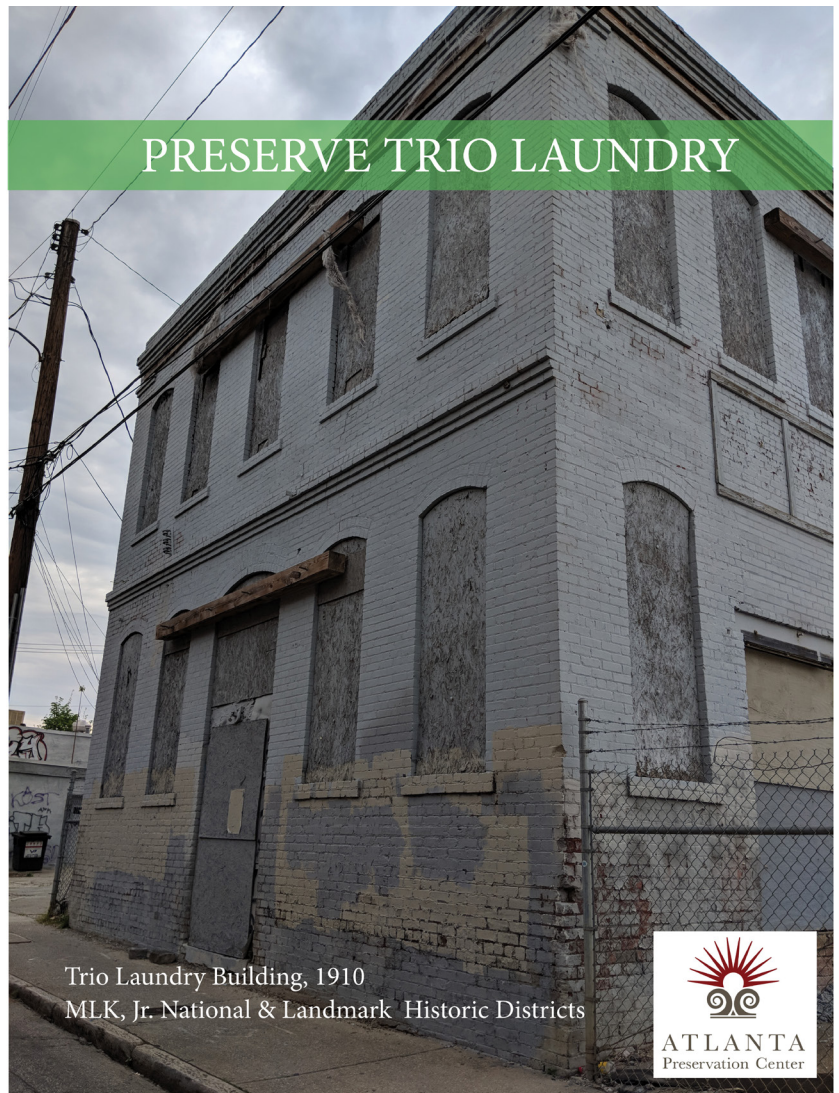


CONCLUSION

The City of Atlanta is at a critical juncture. It has been twenty-nine years since the local historic preservation ordinance became law. More than ten years have passed since the Atlanta BeltLine launched a reinvestment in urban infrastructure. Yet Atlanta's historic resources have been relegated to a second class planning status with no real effort to balance preservation, reinvestment and new development. As Atlanta experiences increased development, it must ask itself, what is Atlanta, and what does it aspire to be? How do Atlanta's historic resources fit into a discussion of its identity and its future?

This paper highlights key obstacles to historic preservation in Atlanta: a challenging historic identity, a seemingly insatiable desire for "new" development, reactive and usually insufficient preservation, and a lack of substantive public policy. Today each of these challenges conflict with the goal of preserving Atlanta's historic resources. Nonetheless, there is a substantial opportunity to positively integrate historic preservation with "new" development and progress.

Historic preservation is generally not at odds with progress. Rather, historic preservation is a natural complement to larger urban planning and livability goals of a more equitable, walkable, diverse, and sustainable city. The upcoming Atlanta zoning code update offers a notable opportunity to meaningfully integrate historic resources into city planning while also producing equitable and sustainable outcomes. Many of the recommendations within this paper, such as flexible parking



Trio Laundry Building, 1910
MLK, Jr. National & Landmark Historic Districts

CONCLUSION

provisions, have import not only for historic preservation, but for larger quality of place transformations.

Ultimately, historic preservation can exist and be synergistic with progress. It is more than just preserving an old building—it is about preserving Atlanta’s civic identity – past, present and future. It is time to remove historic preservation from the rigid contours of a preservation versus progress binary. Historic places are an essential marker or milepost along Atlanta’s progression. Change is inevitable. Change can engender a respect for our shared past and incorporate the past into what we build for the future. Without bringing along elements of its past, Atlanta loses a part of what makes it uniquely Atlanta, it loses a part of its story, its identity, its soul. Progressive historic preservation enables Atlanta to evolve, to continue to be the Capital of the New South by preserving elements that define it as quintessentially Atlanta.



"If we don't care about our past, we cannot hope for the future...I care desperately about saving old buildings."

—Jacqueline Kennedy Onassis

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APPENDIX

Model Adaptive Reuse Ordinance

Inspired by successful adaptive reuse policies in Los Angeles, Phoenix, and other cities, the Preservation Green Lab has developed this model ordinance for policymakers interested in spurring revitalization through reuse in their own communities. Adaptive reuse ordinances can help cities unlock the potential of older buildings.

This model adaptive reuse ordinance is comprised of two parts: model guidance policies and a model zoning overlay ordinance. The ordinance can complement existing preservation policies and programs by creating a framework to incentivize adaptive reuse of historic and non-historic older buildings alike. In most jurisdictions, this ordinance should be administered by local zoning and building officials, coordinating with historic preservation staff and commissions when designated properties are affected.

Lengthy permit review time can pose a barrier to reuse projects; therefore, in addition to the model policies and regulations, jurisdictions should consider creating a multi-departmental team that will become familiar with the adaptive reuse code and coordinate to provide efficient review of proposed projects. Jurisdictions considering an adaptive reuse ordinance should also adopt supportive policies, such as those listed on the following page, into their local comprehensive or general plan.

The model ordinance has been written as a standalone chapter that can be adopted into an existing zoning code. It should be considered in tandem with zoning map amendments to delineate and specify the extent and applicability of the proposed adaptive reuse overlay zones. The purpose of this adaptive reuse ordinance is to reduce regulatory barriers to building reuse and to simplify and facilitate the permitting process.

APPENDIX

MODEL GUIDING POLICIES: ADAPTIVE REUSE

Policy 1: Promote adaptive reuse as part of broader goals supporting historic preservation, economic development, and environmental sustainability and resilience

Policy 2: Recognize the social, economic, and environmental value of older buildings

Policy 3: Incentivize building reuse at a neighborhood scale to encourage activation of a cohesive district of older buildings

Policy 4: Eliminate or allow nonconformance with certain development regulations that would make adaptive reuse of eligible buildings infeasible, including such standards related to parking and loading, height, density, floor-area ratio, and open space

Policy 5: Encourage adaptive reuse projects to provide space for a mix of uses

Policy 6: Prioritize the review of adaptive reuse projects through inter-departmental coordination

Policy 7: Allow alternative building and fire code compliance for eligible adaptive reuse projects able to demonstrate an alternative means or method of protecting public health, safety, and welfare

Policy 8: Allow alternative compliance with public works standards, where alternative compliance will protect public health, safety, and welfare

Policy 9: Adopt a zoning overlay outlining specific provisions to incentivize adaptive reuse

Policy 10: [Add policy identifying in general terms areas of the jurisdiction where adaptive reuse incentives could be applied]

MODEL ZONING OVERLAY, ADAPTIVE REUSE ORDINANCE

- 1. Purpose.** The purpose of this Adaptive Reuse Ordinance is to provide a more efficient way for eligible buildings and adaptive reuse projects to meet zoning, building, fire protection, and public utility standards. The provisions of this program can apply to all or portions of eligible buildings located in a designated adaptive reuse overlay zone, where the building's current use is being changed to a different use.

APPENDIX

2. Definitions.

- 2.1. *Adaptive reuse overlay zone* – An area designated on the [local zoning map] where adaptive reuse projects in eligible buildings are incentivized.

Comment: We have chosen to present this model ordinance as a zoning overlay because it can be integrated as a cohesive chapter into most zoning regimes rather than a complex series of text amendments impacting many zoning code chapters. Jurisdictions wishing to implement this model ordinance would simply adopt this zoning overlay as a chapter in their zoning code, identify districts or neighborhoods where adaptive reuse is desired, and amend the zoning map to show the overlay areas. Adoption of both the text and mapping amendments will require approval by the local legislative authority, such as the city council.

- 2.2. *Adaptive reuse project* – Any change of use from a building's current use to a new use in all or a portion of any eligible building.

- 2.3. *Eligible building* – Any building within an Adaptive Reuse Overlay Zone that is at least 50 years old and that was constructed in accordance with building and zoning codes in effect at the time of construction.

3. Applicability.

- 3.1. The provisions of this Adaptive Reuse Ordinance apply to adaptive reuse projects taking place in eligible buildings within an adaptive reuse overlay zone. The change of use of an existing vacant or underutilized building to new uses that promote community goals is permitted subject to compliance with the standards found in this chapter.

Comment: Jurisdictions may choose differing criteria for eligibility based on the jurisdiction's overall building stock and its goals for the adaptive reuse program. For instance, a city with majority prewar buildings may want to set a more restrictive building age criterion. Or, alternatively, if a city is dealing with challenges involving a particular type of building (e.g., vacant schools, churches, or warehouses), the original building use could be included as a criterion.

- 3.2. The provisions of this chapter can also apply to buildings that are listed or eligible for historic designation located in an adaptive reuse overlay zone; however, additional regulation under [local historic preservation program reference] and any other related

APPENDIX

historic guidelines, including the Secretary of the Interior Standards may apply.

- 3.3. Expansions to the floor area of an eligible building must comply with the development standards of the underlying zone and are not eligible for the incentives provided in Section 7.
- 3.4. The provisions of this zoning overlay are intended to modify the standards otherwise applied to the site by its underlying zone. Unless specifically modified by this chapter, all other standards adopted for this site shall apply.

***Comment:** A jurisdiction may consider allowing expansions to existing buildings to qualify for some or all of the incentives in this ordinance. Expansions could be allowed in exchange for specified community benefits, such as added affordable housing units. At a minimum, projects adding new floor area to old buildings should be able to use the alternative compliance options available in Sections 8, 9, and 10.*

- 4. Eligibility.** Projects must meet the following criteria to be an eligible adaptive reuse project:
 - 4.1. Project site shall be located in an Adaptive Reuse Overlay Zone.
 - 4.2. The building must be an eligible building, as defined in Section 2.3.
 - 4.3. The project results in a change of use for the existing building.
- 5. Development Standards.** Adaptive reuse projects shall, at a minimum, comply with the following development standards. [Insert development standards appropriate to local conditions and priorities]

***Comment:** A jurisdiction may choose to require certain development standards meant to balance the development incentives with local goals. Some examples could be minimum unit size, on-site amenity area, or ground floor commercial use requirements. Furthermore, if a jurisdiction has an inclusionary housing policy or otherwise requires affordable housing to be included in new development projects, the jurisdiction may also consider specifying if and how many housing units in adaptive reuse projects must be affordable to low- or moderate-income households.*

- 6. Incentives.**

- 6.1. *Density.* The project can exceed the maximum density established by [the local zoning code] for the site provided the adaptive

APPENDIX

reuse project is in compliance with any minimum residential unit size standards established by this code.

- 6.2. *Setbacks.* Existing building setbacks may remain and shall be considered legally nonconforming, but no further encroachments shall be permitted into any nonconforming setback.
- 6.3. *Height.* The height of the structure, if it exceeds the maximum height of the zoning district, may remain and shall be considered legally nonconforming. Any rooftop construction needed for building circulation, drainage, ventilation, utilities, or passive recreation shall be included within the height exemption. This height exemption does not include new residential or commercial floor area.
- 6.4. *Loading Zone.* A new loading zone shall not be required if the existing building does not have an existing loading zone.
- 6.5. *Parking.* New parking spaces shall not be required for any converted use within the existing footprint of the building, but expansions to floor area shall be required to provide parking according to [local jurisdiction parking rules].

Comment: Parking requirements pose one of the most common and most significant barriers to building reuse. If parking requirement waiver or reduction is appropriately targeted and specified, this incentive can have a powerful effect on development patterns, including reuse. If a full waiver of parking requirements for the portion of the building that has a converted use is seen as overly generous given the development climate of a jurisdiction, the jurisdiction may opt to reduce parking requirements or allow off-site parking at a specified distance as a more limited incentive.

- 6.6. *Transfer of Development Rights Program.* This section authorizes a program through which building owners choosing to reuse older, smaller buildings, may transfer unused zoned development potential to an approved receiving site in exchange for payment. [Insert specific provisions of a Transfer of Development Rights program, or reference a locally adopted TDR program]

Comment: Jurisdictions with robust real estate markets can use a transfer of development rights program to incentivize building owners to reuse older, smaller buildings, in areas where many such buildings are being demolished and replaced with larger structures. This program would function like a typical transfer of development rights program by identifying eligible receiving sites where additional development capacity is desired and could be accommodated. Because of the variation in how such

APPENDIX

programs could be established and the differences in state law, no model language is provided.

- 7. Approved Land Uses.** Subject to the limitations of section 9.2, a broad range of land uses or mix of uses shall be allowed in the Adaptive Reuse Incentive Overlay Zone, irrespective of the underlying zoning, as part of an adaptive reuse project. However, no new uses that emit noxious odors or excessive noise shall be allowed, unless the applicant demonstrates the use will not negatively impact nearby residences.

Comment: A broad range of permitted uses will provide the greatest incentive for adaptive reuse. However, if specific land uses are preferred or undesired, a jurisdiction can define these here. For example, Los Angeles' adaptive reuse overlay is intended only for conversions of non-residential uses into residential use (including hotels).

8. Alternative Building Code Regulations

- 8.1. *Applicability.* The alternative building code regulations adopted in this section are applicable to eligible buildings located in an adaptive reuse zone.
- 8.2. In permitting repairs, alterations, and additions necessary to accommodate adaptive reuse projects, the alternative building regulations shall impose requirements that will, in the determination of the Building Official, protect the public health, safety, and welfare.
- 8.3. Nothing in this section shall be construed to allow the reduction of existing seismic or fire and life-safety elements of an eligible building where such elements provide a greater level of protection than the minimum requirements established by this section.
- 8.4. *Procedure.*
- 8.4.1. The applicant must submit an Alternative Methods and Materials application to the [local building department]. Upon review of such application, the Building Official is authorized to grant approval when the proposed design is found satisfactory and complies with the intent of the provisions of current building codes in effect, and that the material, method or work offered is justified by current accepted performance-based engineering and analysis in assessing quality, strength, effectiveness, fire resistance, durability, and safety.
- 8.4.2. The Building Official shall review adaptive reuse project proposals on a case by-case basis, and may require pre-submittal

APPENDIX

meetings at his or her discretion.

9. Alternative Fire Code Regulations

9.1. *Applicability.* The alternative fire code regulations adopted in this section are applicable to eligible buildings located in an adaptive reuse zone.

9.2. *Uses and Occupancies.* Subject to the approval of the Fire Official, the use or occupancy type of an eligible building shall be allowed to be changed as part of an adaptive reuse project without conforming to all requirements of the [locally adopted version of Existing Building Code], provided the new or proposed occupancy is equally or less hazardous, based on life and fire risk, than the existing use.

Comment: Many jurisdictions who have adopted the International Existing Building Code will have similar provisions in place offering flexibility when renovating existing buildings, when the use does not change. This model code provides relief when uses or occupancies change. Note these provisions only apply when the building occupancy is not becoming more hazardous. Jurisdictions may wish to provide allowance and flexibility for some common changes of use where occupancy hazards are increased, such as converting commercial space to restaurant (assembly) space. Providing guidance and examples of solutions to common code issues can also facilitate building reuse.

9.3. *Modifications.* Whenever there are practical difficulties involved in carrying out the provisions of the [local fire code], the Fire Official shall have the authority to grant modifications for individual cases, provided the Fire Official shall first find that special individual reasons make the strict letter of the [local fire code] impractical and the modification is in compliance with the intent and purpose of the [local fire code] and that such modification does not lessen health, life and fire safety requirements.

9.4. *Procedure.*

9.4.1. The applicant must submit an Alternative Methods and Materials application to the [local fire authority]. Upon review of the application, the [local fire official] is authorized to grant approval when the proposed design is found satisfactory and complies with the intent of the provisions of the current fire codes in effect, and that the material, method or work offered is at least equivalent of that prescribed in the [local fire code] in quality, strength, effectiveness, fire resistance, durability and safety.

APPENDIX

9.4.2. The applicant must submit a Fire Life Safety (FLS) Report which shall identify the eligible building's existing features and evaluate existing fire and life-safety features against the current code requirements. The Fire Official will review the FLS report and evaluate the proposal for final recommendations.

9.5. The Fire Official shall review adaptive reuse project proposals on a case-by-case basis, and may require pre-submittal meetings at its discretion.

10. Alternative Public Works Standards

10.1. *Applicability.* The alternative public works standards adopted in this section are applicable to eligible buildings located in an adaptive reuse overlay zone.

10.2. The [local public works department(s)] may adopt alternate standards for projects within adaptive reuse overlay zones. The [local public works department] shall impose such requirements as will, in the determination of the [Public Works Director], protect the public health, safety, and welfare.

10.3. The [Public Works Director] shall review adaptive reuse project proposals on a case by-case basis, and may require pre-submittal meetings at his or her discretion.

Comment: Jurisdictions may choose to adopt incentives specific to their local infrastructure and streetscape. For example, a jurisdiction could choose to relax street tree regulations, or sidewalk improvement requirements for adaptive reuse projects, or allowing existing nonconforming driveways, alleys, or rights-of-way to remain unchanged.

11. Severability

11.1. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The [legislative body] of the [local jurisdiction] hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.